United Nations S/PV.4131

Security Council

Fifty-fifth Year

Provisional

4131st Meeting

Thursday, 20 April 2000, 10.35 a.m.

New York

President:	Mr. Fowler	(Canada)
Members:	Argentina	Mr. Listre
	Bangladesh	Mr. Chowdhury
	China	Mr. Wang Yingfan
	France	Mr. Levitte
	Jamaica	Miss Durrant
	Malaysia	Mr. Hasmy
	Mali	Mr. Ouane
	Namibia	Mr. Theron
	Netherlands	Mr. van Walsum
	Russian Federation	Mr. Gatilov
	Tunisia	Mr. Ben Mustapha
	Ukraine	Mr. Yel'chenko
	United Kingdom of Great Britain and Northern Ireland	Mr. Eldon
	United States of America	Ms. Soderberg

Agenda

The situation in the Middle East

Letter dated 6 April 2000 from the Secretary-General addressed to the President of the Security Council (S/2000/294)

Letter dated 17 April 2000 from the Secretary-General addressed to the President of the Security Council (S/2000/322)

00-40000 (E)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-178.

The meeting was called to order at 10.35 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East

Letter dated 6 April 2000 from the Secretary-General addressed to the President of the Security Council (S/2000/294)

Letter dated 17 April 2000 from the Secretary-General addressed to the President of the Security Council (S/2000/322)

The President: The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them two letters from the Secretary-General addressed to the President of the Security Council, dated 6 and 17 April 2000, respectively, and contained in documents S/2000/294 and S/2000/322.

I should like to draw the attention of the members of the Council to document S/2000/295, letter dated 6 April 2000 from the Permanent Representative of Lebanon to the United Nations transmitting a letter of the same date from the President of the Lebanese Republic addressed to the Secretary-General.

Following consultations among members of the Security Council, I have been authorized to make the following statement on behalf of the Council:

"The Security Council welcomes the letters of the Secretary-General to its President of 6 April (S/2000/294) and 17 April 2000 (S/2000/322), which includes notification of the decision of the Government of Israel, as stated in its letter of 17 April 2000 from the Foreign Minister of Israel to the Secretary-General, to withdraw its forces present in Lebanon in full accordance with resolutions 425 (1978) and 426 (1978) of 19 March 1978 and its intention to cooperate fully with the United Nations in the implementation of its decision.

"The Security Council endorses the decision of the Secretary-General to initiate preparations to enable the United Nations to carry out its responsibilities under resolutions 425 (1978) and 426 (1978), as described in his letter of 17 April 2000.

"The Security Council shares the view expressed by the Secretary-General in his letter of 6 April 2000 that cooperation by all parties concerned will be required in order to avoid a deterioration of the situation. It welcomes his decision to send his Special Envoy to the region as soon as practicable and encourages all parties to cooperate fully in the complete implementation of resolutions 425 (1978) and 426 (1978).

"The Security Council looks forward to the Secretary-General reporting back as soon as possible on relevant developments, including the outcome of the consultations with the parties and all interested Member States and those contributing troops to the United Nations Interim Force in Lebanon (UNIFIL), and his conclusions and recommendations regarding the plans and requirements for implementation of resolutions 425 (1978) and 426 (1978) and all other relevant resolutions.

"The Security Council stresses the importance of, and the need for, achieving a comprehensive, just and lasting peace in the Middle East, based on all relevant Security Council resolutions, including resolutions 242 (1967) and 338 (1973)."

This statement will be issued as a document of the Security Council under the symbol S/PRST/2000/13.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 10.40 a.m.

United Nations S/PV.4132

Security Council

Distr.: General
25 April 2000

Original: English

Official communique of the 4132nd meeting of the Security Council

Held in private in the Security Council Chamber at Headquarters, New York, on Tuesday, 25 April 2000, at 3.50 p.m.

At its 4132nd meeting, held in private on 25 April 2000, the Security Council considered the situation concerning the Democratic Republic of the Congo. The representative of the Democratic Republic of the Congo was invited, at his request, to participate in accordance with rule 37 of the Council's provisional rules of procedure.

The Security Council heard a briefing under rule 37 of its provisional rules of procedure by Sir Ketumile Masire, Facilitator of the Inter-Congolese Dialogue.

The members of the Council made comments and posed questions in connection with the briefing.

The representative of the Democratic Republic of the Congo made a statement.

Sir Ketumile Masire responded to the comments and questions posed by members of the Council.

00-40426 (E) 250400

United Nations S/PV.4132*

Security Council

Distr.: General
2 May 2000

Original: English

Official communiqué of the 4132nd meeting of the Security Council

Held in private in the Security Council Chamber at Headquarters, New York, on Tuesday, 25 April 2000, at 3.50 p.m.

At its 4132nd meeting, held in private on 25 April 2000, the Security Council considered the situation concerning the Democratic Republic of the Congo. The representative of the Democratic Republic of the Congo was invited, at his request, to participate in accordance with rule 37 of the Council's provisional rules of procedure.

The Security Council heard a briefing under rule 39 of its provisional rules of procedure by Sir Ketumile Masire, Facilitator of the Inter-Congolese Dialogue.

The members of the Council made comments and posed questions in connection with the briefing.

The representative of the Democratic Republic of the Congo made a statement.

Sir Ketumile Masire responded to the comments and questions posed by members of the Council.

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* Reissued for technical reasons.

00-42639 (E) 110500

United Nations S/PV.4133

Security Council

Fifty-fifth Year

Provisional

4133rd Meeting

Thursday, 27 April 2000, 11.45 a.m.

New York

President:	Mr. Fowler	(Canada)
Members:	Argentina	Mr. Cappagli
	Bangladesh	Mr. Ahmed
	China	Mr. Chen Xu
	France	Mr. Doutriaux
	Jamaica	Mr. Ward
	Malaysia	Mr. Kamal
	Mali	Mr. Ouane
	Namibia	Mrs. Ashipala-Musavyi
	Netherlands	Mr. van Walsum
	Russian Federation	Mr. Granovsky
	Tunisia	Mr. Jerandi
	Ukraine	Mr. Krokhmal
	United Kingdom of Great Britain and Northern Ireland	Mr. Eldon
	United States of America	Mr. Holbrooke

Agenda

The situation in East Timor

00-40657 (E)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-178.

The meeting was called to order at 11.45 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in East Timor

The President: In accordance with the understanding reached in the Council's prior consultations, and in the absence of objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

There being no objection, it is so decided.

I invite Mr. Annabi to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting, the Security Council will hear a briefing by Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations. I call on Mr. Annabi.

Mr. Annabi: Since we last briefed the Security Council, on 21 March, on the activities of the United Nations Transitional Administration in East Timor (UNTAET) there has been steady progress in a number of areas, on which I am pleased to report.

The overall security situation in East Timor has remained relatively stable, and the situation at the border with West Timor has improved since we last briefed the Council. As members of the Council may recall, in March there had been an increase in incursions of pro-autonomy militia members from West Timor. In the last week of March, the Special Representative of the Secretary-General, Mr. Sergio Vieira de Mello, visited Jakarta and raised these issues with senior Indonesian officials, including President Wahid. Since then, militia activity has decreased and cooperation between the military component of UNTAET and the Indonesian armed forces has improved noticeably. On 11 April, a Memorandum of Understanding for Tactical Coordination in the border area was signed by General de los Santos, the UNTAET Force Commander, and General Syahnakri, the Commander of the Indonesian armed forces in West Timor. The memorandum is along the lines of the agreement of 12 January concluded at that time between the Indonesian armed forces and UNTAET. These arrangements have worked well so far, for example, in dealing with occasional inadvertent border crossings by military personnel, including two cases of United Nations helicopters straying into Indonesian airspace.

As regards the refugee situation, during the past month, some 7,000 refugees have returned to East Timor. These returns bring the total number of returnees to a little over 160,000. The Office of the United Nations High Commissioner for Refugees (UNHCR) reports that access to the camps has improved considerably, and the Government of Indonesia has to date been flexible in its continuation of aid to the refugee camps in West Timor. Members of the Council will recall that Indonesia had announced last month that it intended to cease its support to the camps at the end of March due to economic constraints. For its part, UNHCR has requested breathing space, so to speak, for three months to allow time for the refugees to choose freely whether to return or to stay in Indonesia.

According to a survey carried out by the Indonesian authorities, some 126,000 refugees remain in West Timor. This figure is considered by UNHCR and UNTAET to be somewhat high. More precise information will be available when UNHCR completes the registration of the refugees, which is currently under way in collaboration with the Indonesian authorities. This registration exercise is expected to be completed by mid-May. UNHCR reports that yesterday the Indonesian armed forces went to a camp in Kupang and began separating those refugees who had formerly served in the Indonesian armed forces from the civilians in the camp. Approximately 15,000 refugees fall into this category.

Many of the refugees still in West Timor are regarded as having been sympathetic to the pro-autonomy cause, and UNTAET continues to work with local leaders in East Timor to prepare the population for the return of those refugees and to ensure that they are received peacefully when they return. In a positive development, the head of an umbrella organization of former pro-autonomy groups met for the first time with Mr. Vieira de Mello during his visit to Jakarta on 30 March. UNTAET's office in Kupang has maintained contacts with a broad range of former autonomy supporters and has facilitated contacts between individuals on both sides of the border.

Turning to the economic and social conditions in East Timor, they remain a primary concern and will continue to be, given the almost complete destruction of civilian structures and East Timor's limited economic resources, including a serious lack of skilled labour. The inhabitants understandably look to the United Nations to resolve their difficulties and have shown some impatience and sometimes some disappointment at UNTAET's seeming inability to respond to their expectations at a faster pace.

Local expectations in this regard tend to focus on UNTAET's recruitment for public services. A drastic expansion of this recruitment might provide limited, temporary relief, but it would create in East Timor a public sector that the small country would not be able to sustain. UNTAET has increased its efforts to explain to the public its position on this issue, which is fully supported by the National Consultative Council. In this context, a public meeting was held in Dili two days ago, which was attended by representatives of the National Council of Timorese Resistance (CNRT), the Church and youth organizations. Mr. Xanana Gusmão, President of the CNRT, spoke at length about the need to keep the future civil service of East Timor lean and urged the East Timorese to organize themselves in order to avail themselves of assistance being made available to promote private enterprise on the island.

So far UNTAET has registered 1,200 private businesses, and a number of initiatives are under way aimed at restoring trade and business activities and at promoting a favourable business climate. To this end, UNTAET is in the process of establishing an investment promotion unit, which will serve as a focal point for potential investors in East Timor. To encourage East Timorese enterprise, UNTAET, together with the World Bank and Banco Nacional Ultramarino, the Portuguese bank, have signed a small and medium enterprise loan agreement that provides for the disbursement of between $500 and $50,000 in loans to East Timorese entrepreneurs.

UNTAET is in the process of establishing local employment service offices in Dili and Baucau to provide assistance to those seeking employment.

We reported last month on UNTAET's quick-impact project scheme for the repair of local infrastructure, which now provides employment to some 2,750 East Timorese. On 13 April, the World Bank and the Asian Development Bank launched the community empowerment project that we mentioned here at the last briefing. Representatives who will determine the priorities for this work have been elected in 5 of the 13 districts, and the first cash disbursement of $3,000 each was made to the village councils in those districts. About $20,000, on average, will eventually be disbursed per village, based on local project proposals. Bilateral efforts are also under way, including the United States Agency for International Development-funded Transitional Employment Programme, which is designed to create 15,000 jobs for a period of six weeks. Subject to the outcome of this programme, similar follow-on programmes are envisaged.

On reconstruction, some $30 million has been allocated from the World Bank/Asian Development Bank trust fund for emergency reconstruction of roads, ports and power facilities. During the next three weeks, $4 million will be disbursed from the UNTAET Trust Fund for capital expenditures, such as the reconstruction of government premises. The bidding process for 21 priority rehabilitation projects has begun. The total amount will be between $7 million and $8 million. UNTAET has entered into an agreement with the United Nations Office for Project Services (UNOPS) to undertake procurement for the East Timorese Administration for the implementation of these projects.

The National Consultative Council has continued to meet and has held a number of informal sessions on the budget for East Timor. A first draft of a contemporary criminal procedure code for East Timor is under preparation and will be presented shortly to the National Consultative Council. Other items currently under consideration include vehicle registration, the establishment of a broadcasting system, a regulation concerning non-governmental organizations and the establishment of representative offices for foreign Governments. In an effort to promote transparency and broaden understanding of how the National Consultative Council works, East Timorese groups are now being invited to observe its proceedings.

Turning to public administration, the recruitment of civil servants is progressing. Since its inauguration on 25 March, the Public Service Commission has adopted a number of decisions regarding conditions of service, working hours, annual leave, public holidays, maternity and sick leave. The number of public servants receiving stipends from UNTAET pending the establishment of a salary scale has risen from 2,500 to 4,221 since last month. The salaries of some 7,000 primary school teachers are being paid by UNTAET and the United Nations Children's Fund. The number of students attending school has now reached 140,000, which is

about 85 per cent of the number of students who had been enrolled in East Timorese schools before the ballot last August.

To provide greater representation to East Timorese in the administration, suitably qualified and experienced individuals will be hired through the Public Service Commission and appointed as deputy district administrators working closely with the UNTAET District Administrators. Other steps include the formation of provisional district advisory councils to provide the East Timorese with policy advice at the district level.

On 6 April, eight additional judges and four prosecutors were appointed to the judiciary in East Timor. There are now 16 judges and eight prosecutors, including appointments to District Courts in Oecussi and Baucau. Eight public defenders have also been hired.

On 7 April, the Government of Indonesia and UNTAET concluded a Memorandum of Understanding concerning cooperation in legal, judicial and human rights matters. This Memorandum, which represents an important and positive development, provides for mutual assistance between UNTAET and the Government of Indonesia, in particular regarding access to evidence and witnesses, to facilitate the prosecution of crimes. The High Commissioner for Human Rights has sent a mission to Indonesia to develop a project of support for the prosecution of human rights violations, notably those committed in East Timor last year.

I wish to say a word about the present strength of the mission. At present, there are 626 international staff in UNTAET, 1,400 local staff, 228 United Nations volunteers and over 1,100 civilian police officers out of the 1,640 authorized, as well as over 8,000 troops and 198 military observers. UNTAET is currently reviewing the possibility of reducing the strength of the military component starting this summer. The result of this review will, of course, be brought to the attention of the Security Council in due course.

To conclude, I would like to say a few words about the issue of benchmarks that need to be achieved on the path to independence. UNTAET has been consulting closely with the East Timorese on this issue. The key targets which have been identified include the drawing up of a constitution, the election of a legislature and Government, laying the foundations of a legal system and establishing a functioning administration, including the establishment of the judicial system and police, as well as sound financial institutions. In addition, relations with East Timor's neighbours should be put on a sound basis by the time the territory becomes independent.

Another important issue that has recently come to the fore relates to security. It will be recalled that the National Council of Timorese Resistance (CNRT) had originally envisaged that East Timor would not have armed forces, except for security personnel associated with the police. That position has changed and the CNRT is now considering and advocating the establishment of a national defence or security force, including small naval and air components, that would be based on the members of Falintil, who remain, for the time being, cantoned in Aileu. Mr. Xanana Gusmão has written to the Secretary-General on this matter. This is obviously a complex and very sensitive issue, which has domestic as well as external implications. UNTAET is currently studying this carefully in consultation with the CNRT and others concerned. We will revert to it in due course.

The consultations with the National Consultative Council have also been focusing on the sequence in which these matters are to be addressed and to what extent they should be resolved before independence. Understandably, there is considerable debate among the East Timorese on this issue and it will be an important item on the agenda of the Congress of the CNRT, which is scheduled to take place in August.

Mr. Holbrooke (United States of America): I thank Assistant Secretary-General Annabi for his second valuable and comprehensive report in the past month on this issue. We are very grateful to him and to you, Mr. President, for your efforts and for your leadership, Sir, in calling for this meeting today.

Before I comment on East Timor, with your permission, Sir, I should like to report to the Council on a conversation I had about 30 minutes ago with President Chiluba concerning the mission of the Security Council to Africa that you have asked me to head.

I want to report to you and to your colleagues, including those here who will be on that mission, that President Chiluba reaffirmed his high degree of enthusiasm for the trip. He asked me to report to you that he considered it a benchmark, important event. He said that the Joint Military Commission would receive the Security Council mission in Lusaka; that there have to be some slight adjustments in logistics and timing on the internal part of the trip, but no change in the arrival time

in Kinshasa; and that there may be — in fact, I think, will be — a need for us to visit capitals other than Kinshasa and Lusaka.

We are now in touch with the United Nations Secretariat to arrange logistics. The United Nations Secretariat will be providing an airplane and I will be consulting each member of the mission on the details. This should not extend the length of the trip, but change some of the interior details. I will keep the Council informed. President Chiluba asked me to express to you, Mr. President, his appreciation for your leadership in getting this project under way.

In regard to East Timor, I want to state again that my Government remains deeply disturbed by Assistant Secretary-General Annabi's reports concerning the relationship between elements of the Indonesian military and the militia operating in the refugee camps in West Timor. We welcome the news that the border is more peaceful than it was when Mr. Annabi reported to us a month ago, and we acknowledge specifically President Wahid's repeated commitments to solving this problem. My Government strongly supports President Wahid in this effort.

Even recognizing that progress has been made, including four weeks without a cross-border incident, I think we must point out to the world and to the Government of Indonesia that the international community is not satisfied yet and that it expects the Government of Indonesia to take additional actions on its own to ensure that this border remains peaceful and to deal with the underlying problems that still threaten stability in both halves of the island of Timor.

Let me be specific. First, while the border agreement signed with the United Nations Transitional Administration in East Timor (UNTAET) was a positive step, the Indonesian military must take the crucial next step and stop all militia activity in areas under their control. This includes closing down militia training camps. When I was there in November I heard first-hand eyewitness accounts of these camps, training in full view in the market places of towns near the border. It also includes disarming the militias, arresting those responsible for infiltrations and discipline in rotating Indonesian armed forces (TNI) troops who are tolerating and promoting these infiltrations.

The United States and other members of this Council again urge the Indonesian Government to fulfil its responsibility to disarm and disband the hardcore militia and to prevent those who would persist in breaking the law, especially the leaders, from doing so by simply moving them elsewhere. The Government must also end, once and for all, any TNI collaboration that still exists with the militia.

I visited some of these refugee camps in West Timor, and I can say, as I have many times before in this Council, that these are really miserable and depressing places. They threaten the health of every man, woman and child in them and the well-being of any person unfortunate enough to be in one of them. I have spoken before about the great need to avoid creating another situation such as that which exists in the Gaza, where refugees have become a permanent feature of the landscape.

Recent reports of returnees are encouraging, but I am pretty puzzled — indeed, very unhappy — when the Office of the United Nations High Commissioner for Refugees (UNHCR) reports, and the United Nations reports, and the Government of Indonesia reports that 80,000 to 100,000 refugees still remain in these camps. Many of them are still not going home because of disinformation, lies and fear; and those who do not want to go home should be encouraged to resettle outside of West Timor.

When I visited the area in November, I said publicly that if these camps still existed in large numbers within three or four months, it would be an international disgrace. It is now five months since that trip, and the numbers are still very high, although somewhat diminished. Therefore, I can only conclude that it is a disgrace and needs to be dealt with.

In saying this, I want to stress that I have the highest regard for President Wahid and for Special Representative Sergio Vieira de Mello and his team, one of whom, my old friend and colleague from the Balkans, Peter Galbraith, is sitting in the Chamber today as part of the United Nations team. I know that they are working vigorously and against all odds, and they are making progress. But progress is still slow six months into UNTAET's mandate. For example, UNTAET signed a Memorandum of Understanding with the Indonesians concerning judicial cooperation, but the East Timorese prisons are in such disrepair and wardens so few that, as Mr. Annabi has alluded to, implementing the Memorandum of Understanding will be difficult.

The Council, therefore, must stay involved to monitor and guide UNTAET and to remind the Department of Peacekeeping Operations (DPKO) that funds must be disbursed in a timely manner, expert staff must be deployed to the field and priorities must be agreed with the East Timorese and implemented quickly. The problems encountered during UNTAET's stand-up illustrate perfectly the need for DPKO flexibility and reform.

In conclusion, and speaking on behalf of my Government, I congratulate President Wahid on travelling to East Timor to extend the hand of friendship, on ordering his generals to resolve the militia problem and facilitate the repatriation or resettlement of refugees and on promoting cooperation with UNTAET on accountability and border management. But let us not forget that good intentions are not sufficient.

We must continue to ask the Government of Indonesia to do everything in its power to break any remaining Indonesian military ties to the hardcore militia and resolve the militia problem. This will help achieve UNHCR's goal of phasing out the current refugee camps in West Timor by 30 June in favour of return and resettlement elsewhere of those who elect not to return.

I want to address, in conclusion, two aspects of the issue: first, benchmarks towards independence referred to by Mr. Annabi and, secondly, the relationship of the East Timor problem to the other peacekeeping efforts of the United Nations at this time.

In regard to the first issue, I know of no more difficult issue for the United Nations and the people of East Timor than deciding when they will take full sovereignty and independence. There is a tide in the affairs of men, as Shakespeare said, which must be taken at the right moment. If we push independence too rapidly, we might have an unfortunate outcome, and if we delay it too long we might have an unfortunate outcome, so this decision is of the utmost importance. We need to discuss it continually and encourage it to take place as rapidly as possible, consistent with the overall situation.

We are launching here what may well be the first new country of the twenty-first century, and the launch should be an excellent one.

In regard to the relationship of East Timor to the other efforts, I would draw the Council's attention to an obvious but central fact, which is that in the last 12 months, the Security Council has authorized the undertaking of, or the substantial expansion of, five major peacekeeping operations on three continents: in East Timor, Kosovo, Sierra Leone, the Democratic Republic of the Congo and now, the impending and virtually inevitable increase in Lebanon. This is a very costly operation for the United Nations and for those countries that pay the bulk of the costs associated with this burden. It stretches the bureaucratic, administrative, managerial and political resources of the United Nations system, and particularly DPKO, to the limits. It stretches the Security Council in a way that is probably without precedent. As we look around the table today, we see clearly that half of our colleagues are not here because they are on the Kosovo mission. The other half of us, with the exception of President Fowler, who is going to stay here and man the fort and Ambassador Wang, who is going to stay here and get ready for his presidency — everyone else in the chamber is on a trip, either to Kosovo or the Democratic Republic of the Congo. I doubt that has ever happened before in a two-week period, and it costs a great deal of money. That is why in the Fifth Committee we have urgently requested that the discussion of how to revise the peacekeeping scale of assessments be undertaken so that we can pay for these operations and we can make them succeed.

Of the big five — and we must not forget that there are over a dozen smaller operations, such as the Peacekeeping Force in Cyprus, which plays an indispensable role in preventing Cyprus from returning to this Chamber as another huge problem — in undertaking these operations we must be mindful that the very future of the United Nations is at stake in one of its core functions — indeed, the very function that President Roosevelt, Winston Churchill and other great leaders in 1945 put at the centre of the United Nations responsibilities.

Despite my earlier comments about the refugees in West Timor, I consider the situation in East Timor one of the encouraging parts of the United Nations system. It is for that reason that I think we should look at it as a model and not allow it to become an indefinite and prolonged mission, but one which we can look to the phasing out of so that we can address our resources and efforts to the other problems as soon as it is practical.

So, Mr. Annabi, I wish you would convey to Mr. Vieira de Mello our Government's very high respect and admiration for what he is doing. I wish that you and your colleagues would make absolutely clear to the Government of Indonesia how critically important it is to

resolve the problem on which I have focused my remarks on today.

The President: I thank the representative of the United States for his very useful update on a number of important issues on the Council's agenda.

Mr. Eldon (United Kingdom): I would like to thank Assistant Secretary-General Annabi for what has been a most useful, comprehensive and informative briefing.

I think, if I may say so, that the process of reporting on East Timor and the interaction between the Council and the Secretariat as the United Nations Transitional Administration in East Timor (UNTAET) is proceeding is set fair to become a model of the kind of exchanges that I think the Council should be having with the Secretariat, in terms of what — as Ambassador Holbrooke has said — is becoming a large, complex and, I hope, ultimately effective operation. It is clearly extremely important that both sides of the Council/Secretariat equation get this right.

Ambassador Holbrooke has, rightly, drawn our attention to the potential dangers of a deterioration in the security situation in East Timor, and in particular to the concerns that I am sure we all have about continuing Indonesian armed forces (TNI) involvement with the militias in West Timor. As you know, we and other delegations were extremely concerned about this a month or so ago. We took steps — and I know others did as well — to make that concern clear to the Government of Indonesia at the highest level. It is encouraging to note the distinct improvement in the security situation in West Timor, including in the camps. Clearly, we must all hope this will continue. It is clearly also imperative that TNI collaboration with the militias cease. But against the background of the improvement that has occurred, I want to assure you that we of the United Kingdom will be keeping a close eye on developments and doing what we can to ensure that there is no repeat of the unfortunate incidents that occurred some weeks ago.

We also welcome the efforts that have been made — and Mr. Annabi has mentioned several of them — to improve the lot of the remaining refugees in the camps in West Timor and to encourage them to return to East Timor. It is clearly important that the Government of Indonesia should take urgent steps to resolve some of the outstanding issues — for example, the question of pensions — in order to allow all those who wish to return to do so swiftly and safely, and to resettle those wishing to remain in Indonesia. Again, like so many things, there are two sides to this coin. And we must make sure that when the refugees do return to East Timor, they can do so in a way that is both safe and sensible. But those considerations should not be allowed to hold up the process beyond the bare minimum.

Mr. Annabi went into some detail about the debate that has been going on within East Timor about the question of East Timor's future defense needs. This has clearly become an issue, and it is right that it should be addressed — but addressed in a measured, sensible and well-thought-through way. I would like to let the Council know that the United Kingdom, in consultation with the Special Representative, has reoffered to fund an independent expert study to assess future requirements and options, in the hope that this will at least bring some clarity to the debate and allow the discussion to be taken forward on an informed basis.

I was also encouraged to hear the stress that Mr. Annabi laid on the question of benchmarks. The list that he gave us during the briefing was, to my mind, extremely useful because it sets out the parameters of the task. It is clearly important that all those points should be addressed, and addressed properly, if we are to have the success and the launch of the new, independent East Timor that we would all like to see. Here I am sure that Ambassador Holbrooke has got it exactly right: we must not hurry, but we must not allow unnecessary delay either. If we are to get ourselves into a position where we can smoothly carry out the process, it is important that the underpinning should be in place. There are many facets to this, too.

I would be interested to have an update from Mr. Annabi on progress in releasing funds from both the United Nations and the World Bank trust funds. We understand that some progress has been made in this area, but we would urge strengthened coordination between the United Nations and the World Bank to ensure that disbursements are as swift and as effective as possible.

That said, I have to report that we, as the United Kingdom, are becoming increasingly concerned about some bureaucratic delays that seem to be occurring in the context of getting things going in East Timor. Two recent examples that have affected us directly have been long delays in processing United Kingdom nominations for forensic investigators to help in UNTAET's work — and I should add here that I was encouraged to hear from Mr. Annabi of the memorandum of understanding that has

been signed with Indonesia on this question — and in obtaining the necessary paperwork to allow the release of a second tranche of the United Kingdom contribution to the United Nations trust fund.

Delays such as these, as well as causing missed opportunities, can have serious effects. Not only do they delay assistance reaching the mission, but they also cause frustration among donors, both actual and potential. More seriously, perhaps, frustration among the local population will increase if UNTAET is not seen to be delivering quickly enough. I think Mr. Annabi's remarks about expectations are something that we should all bear in mind here. We hope that both the Department of Peacekeeping Operations and UNTAET will conspire between them to eliminate unnecessary and time-consuming bureaucracy and improve coordination, both between the mission headquarters and internally in the Secretariat.

I would not wish to end my statement on a sour note. What I have just said is not meant to be criticism, it is meant to help. We should not disguise the considerable achievements that have been made by both Sergio Vieira de Mello and his team and by those in New York who are backstopping the operation here. We all owe a great debt to them, and particularly the East Timorese people owe a similar debt. We hope that they will continue to take the operation forward in the inspired way that they have done up to now. We continue to wish them the greatest success, and I want to assure you that they can be assured of our full support.

Mr. Doutriaux (France) (*spoke in French*): Allow me, like previous speakers, to thank Mr. Hédi Annabi for the briefing he has given us on the situation in East Timor. I should like to thank the Secretariat and the Special Representative of the Secretary-General, Mr. Vieira de Mello, for the significant amount of work done since last September in East Timor. There were huge difficulties: the infrastructure was destroyed, the population became dispersed, and there were real social problems and a certain trauma felt by the people. Also, as Ambassador Holbrooke and Ambassador Eldon have said, we can only note that this situation is improving; I believe they used the expression "encouraging situation". I think that Ambassador Holbrooke also indicated that what we are doing in East Timor could serve as a model.

Of course, there are still enormous difficulties. Mr. Annabi has described them to us. Members of the Council are aware of them, and this is partly due to the useful practice of our having Secretariat reports on situations. But, in spite of the considerable problems, we note that there has been an improvement inter alia, in the security issue.

Among the continuing difficulties, about which Mr. Annabi has spoken with us at some length, as have the two previous speakers, there is the problem of refugees remaining in West Timor. Of course, their number has decreased since Ambassador Holbrooke visited the camps in West Timor, but approximately 100,000 are still in West Timor. In this connection, I have a question for Mr. Annabi. Among those refugees, there are a number of former officials of the Indonesian administration of East Timor. I understand that the Indonesian authorities have guaranteed payment of retirement pensions to those former officials. Can Mr. Annabi tell us, in the event that those refugees wish to come back to East Timor — which, of course, one would hope does happen, and some of them might then offer their expertise to the administration of East Timor — then what would happen to pensions paid to them by the Indonesian authorities?

I have a second question for Mr. Annabi, about the economic aspect. As we know, there are huge economic difficulties, and it is difficult to re-establish a real economy in East Timor. I am led to understand that the United Nations administration is in contact, *inter alia*, with the Australian authorities on delimiting the maritime border and especially on the allocation of underwater resources along that border. Could Mr. Annabi tell us about the current status of these interesting talks on the exploitation of seabed deposits lying between East Timor and Australia?

On the question of the important issue evoked by Mr. Annabi and Ambassadors Holbrooke and Eldon — that is, the future of the United Nations presence in East Timor, and more precisely the date of independence — we agree with the remarks that have been made today; it is very difficult to determine the right time for this. But I did want to say that, first of all, one has to hear from the Timorese themselves. It is, after all, a little bit up to them — and perhaps Mr. Annabi could tell us more about this. When I say it is "a little bit" up to them, this is, in fact, a euphemism; it is, above all, up to them to tell us — and right now is undoubtedly not the time — the moment when they consider themselves ready to assume their responsibilities of independence.

Mr. Cappagli (Argentina) (*spoke in Spanish*): First of all, I would like thank the Assistant Secretary-General for Peacekeeping Operations, Mr. Annabi, for the comprehensive and useful information he has provided.

This week we note that six months have passed since the creation of the United Nations Transitional Administration in East Timor (UNTAET). It is evident that a task of great magnitude has been carried out, setting up the bases and starting points for a future independent East Timor. I would like once again to express my country's gratitude to Mr. Sergio Vieira de Mello and to all UNTAET personnel for their excellent performance. I would also like to highlight the positive attitude of the East Timor leadership throughout this process.

This positive trend is confirmed by the fact that, in the last 15 days, UNTAET has signed two memorandums of understanding with the Indonesian authorities on topics of fundamental importance. The first memorandum, on cooperation in judicial, legal and human rights matters, will facilitate the investigation and prosecution of those responsible for the violence that occurred in 1999. The second memorandum, on coordination in the border area, was signed between the Indonesian military authorities and UNTAET; its principal objective is to improve the situation in security matters and to build trust along the terrestrial borders of East Timor. This is undoubtedly a significant step forward.

We would like to congratulate the Indonesian authorities for their renewed commitment to cooperate with the United Nations on matters of such importance, and we appeal to them to fully implement both the letter and the spirit of the agreements so that their commitments will be translated into concrete measures in the field.

Unfortunately, in recent times we have also noted an increase in social tension as a result of the precarious employment and economic situation of most Timorese. We trust that the many assistance programmes implemented by international organizations, non-governmental organizations and Governments will improve the situation. Nevertheless, we believe that the United Nations must redouble its efforts to convey a message of reassurance to all Timorese. To this purpose, a broadcast network in Tetun, Portuguese and Bahasa must be set up, and it must be accessible to 100 per cent of the territory's inhabitants.

Mr. Granovsky (Russian Federation) (*spoke in Russian*): We join in expressing our thanks to Mr. Annabi for his very informative briefing containing an important assessment of the situation in East Timor.

In Russia, together with all of the international community, we continue to closely follow developments in and around East Timor. Yes, there are still serious problems, described in earlier statements. Of course, this is natural, but the overall stable trend is a positive one. What is important is that the problems are being solved — not as quickly as we would like, but significantly — and stable progress is evident.

One of the most notable achievements recently was the signing of the two important memorandums that the representative of Argentina mentioned. We believe that the Indonesian side, which signed these agreements with representatives of the United Nations Transitional Administration in East Timor (UNTAET), confirmed once again that there is the political will to find a final settlement of the East Timor problem.

We also consider it important to emphasize that the successful work of UNTAET is, to a large extent, the result of able leadership provided by the Special Representative of the Secretary-General, Mr. Sergio Vieira de Mello.

In conclusion, I should like to express the hope that the United Nations presence in East Timor will continue to be as productive as it is today.

Mr. Ouane (Mali) (*spoke in French*): I would like to thank Mr. Annabi for his update on the situation in East Timor. I would also like to focus my statement on a few issues. First, I would like to express our serious concern, and our agreement with what Mr. Annabi has said regarding the lack of resources and the slow progress in making them available for field activities relating to reconstruction and other aspects of the programme of the United Nations Transitional Administration in East Timor (UNTAET).

My delegation considers that the highest priority is the need to provide viable economic opportunities for the people of East Timor in order to assure them all that they can indeed work and live together in a reconstructed country.

With regard to the security situation, I would like to emphasize the need to accelerate the setting up of a civilian police force to deal with the increase in crime. In that context, we would appreciate further comments from Mr. Annabi on that subject.

With regard to the issue of refugees, we are gratified that they have been returning, and the momentum would be furthered if the development and reconstruction projects financed by the World Bank's special trust fund start to function and have a tangible effect.

In the same context, we consider it a high priority to ensure the financing by the United Nations and special trust funds for humanitarian needs, of rapid start-up projects to provide employment and to enable returnees as well as those who remained behind to actively start to rebuild their own country.

We also commend the remarkable progress made in the implementation of consultative machinery to ensure the full participation of the East Timorese in the decision-making process, particularly at the central level.

Finally, I would like to conclude by paying tribute to Mr. Sergio Vieira de Mello and his entire team for their work, and I wish to express the hope that the presence of the United Nations will lead, in an assured and appropriate manner, to independence.

Mr. Ahmed (Bangladesh): Let me begin by expressing our warm thanks to Mr. Hédi Annabi for his comprehensive briefing on the situation in East Timor, and here I would also request Mr. Annabi to convey my delegation's sincerest appreciation and admiration to Mr. Sergio de Mello and his team for the excellent work he has done in East Timor.

Since our last briefing on the situation in East Timor, there has been some significant development relating to several issues on the island. First, with regard to the deployment of civilian police monitors, we have noted with satisfaction that the rate of deployment has picked up. It is understood that over 1,100 civilian police officers have so far been deployed out of an authorized total of 1,640.

Secondly, on the question of the return of refugees, we commend the Government of Indonesia for extending the deadline for the return of refugees by three months. We also express appreciation for its decision to continue humanitarian assistance to the refugees. One significant event is the return of ex-combatants. Their return and subsequent settling down in East Timor will be a process indicative of how the issue of national reconciliation would unfold. We believe that these returnees should be provided safety and security, and the role of the National Council of Timorese Resistance (CNRT) in ensuring this will be critical. That in turn will, on the one hand, convince others to return, and on the other, will augur well for the establishment of the rule of law.

On the security situation, we welcome the agreement signed between the United Nations Transitional Administration in East Timor (UNTAET) and the Government of Indonesia on improved coordination in the border areas between East and West Timor. We believe this agreement will stabilize the situation in those areas and will have a salutary effect on cross-border incursions and on the return of refugees. The joint inspection tour of the border areas by the Indonesian army and the United Nations peacekeeping command is a positive development. It is also heartening to note that the general law and order situation has improved. The establishment of district advisory councils should provide UNTAET with the opportunity to involve the local population in various matters of governance, including law and order. We welcome the decision to appoint as many women as possible to these councils and, as on earlier occasions, we strongly support this decision.

As regards civil and judicial administration, the organization of the Public Service Commission and the induction of East Timorese members, as well as the continued training and appointment of judges, mark the beginning of the transformation of UNTAET into the East Timorese civil administration. We are of the opinion that for the local population nothing would count more towards achieving self-confidence and esteem than the ownership of the nation-building efforts. We look forward to the early activation of the judiciary in East Timor. We are happy to note that UNTAET has started the recruitment of prison personnel, which will go a long way in establishing a criminal justice system in the territory.

With regard to the poverty and unemployment situation, it is perhaps by far the most difficult problem that UNTAET has faced. This issue has also very recently generated heightened concern in the media, with the potential of undoing all that has been achieved by UNTAET. We urge everyone concerned to do their best in helping the UNTAET administration address the issue of poverty and unemployment. The centralized job bank is an innovation that we trust will be able to make a dent

in the situation. We commend the clean-up projects funded by the World Bank, the United Nations Development Programme and the United States Agency for International Development which will provide employment in the short term and have a positive impact on health and the environment.

Finally, looking ahead on the issue of national unity and reconciliation, it is important that the East Timorese population on both sides of the mental divide see themselves as partners in progress. A process of national reconciliation imbued with a sense of pragmatism, fairness and justice would perhaps help them put the past behind them. It is commendable that the CNRT has striven to keep this aspect in mind. The judicial cooperation between UNTAET and the Indonesian authorities will greatly facilitate the investigation of human rights violations and also instil a new realism in the minds of the people about cooperation and mutuality of interests between Indonesia and East Timor, for the present and the future as well.

Mr. Mohammad Kamal (Malaysia): First and foremost, my delegation would also like to express its appreciation to Mr. Annabi for the comprehensive and informative update on the developments in East Timor, particularly the improved security situation. We believe it is always important for Council members and the general United Nations membership to be informed of the developments and efforts made by the United Nations Transitional Administration in East Timor (UNTAET), as this will provide an opportunity for Member States of this Organization to make an assessment of the progress made thus far. In this regard, we would like to thank you, Mr. President, for holding this open briefing, which my delegation fully supports.

We welcome the Memorandum of Understanding signed recently between UNTAET and the Indonesian Government on cooperation to maintain security along the border. We are convinced that adherence to its guidelines will help avoid the recurrence of any untoward incident and ensure safety and security on the border while facilitating the repatriation of the remaining refugees from West Timor. My delegation wishes to express its support for the efforts being made by UNTAET to create employment and rebuild infrastructure in East Timor. It is reassuring to note that some projects have begun. However, we cannot but notice that many more have not got off the ground.

This seems to be the main concern of the people of East Timor, as slow progress has made them impatient and disgruntled, given the high hopes and expectations for economic and social salvation by the United Nations. In fact, the sense of frustration among the East Timorese was recently highlighted by the media. Persistent efforts must therefore be pursued to accelerate disbursement of funds for reconstruction projects, as delays will only lead to malaise and discontent.

My delegation strongly believes that it is imperative that the East Timorese be involved in the planning and execution of these programmes, as this will instil a sense of ownership, pride and responsibility regarding those projects. This will also prevent the culture of dependency from becoming entrenched and rooted in the community. The local population must be given the opportunities and facilities to be the main implementers of these programmes. At the same time, the international community owes it to the East Timorese to help them see the whole process through, until the birth of a stable, independent and sovereign nation.

We believe that UNTAET must address the growing discontent and desperation among the population to ensure that it does not lead to violence and lawlessness. This would only destabilize the fragile situation, which would be exploited by elements of the militias.

We also welcome Indonesia's decision to allow the extradition of criminals to East Timor and to share witnesses and evidence with UNTAET. This will help facilitate efforts to bring the perpetrators to justice and ensure that nobody can escape punishment for their crimes. The Memorandum of Understanding is the kind of cooperation that is needed between Indonesia and its neighbour to resolve the questions of accountability and spheres of jurisdiction over criminals and aggressors in Indonesia and East Timor.

Finally, we wish to reiterate Malaysia's support for the rehabilitation and reconstruction of East Timor, and in this regard to express our appreciation to Mr. Sergio Vieira de Mello and his team for their work thus far. Malaysia has been consulting with the East Timorese leadership and received Mr. Sergio Vieira de Mello just two days ago; we understand Mr. Vieira de Mello met our Prime Minister and Foreign Minister.

As a concerned neighbour, Malaysia has assured Mr. Xanana Gusmão, who visited Malaysia two months ago, and Mr. Vieira de Mello of Malaysia's preparedness to assist East Timor to the extent possible. We look

forward to forging a close and constructive relationship with East Timor in the pre- and post-independence period.

Ms. Ashipala-Musavyi (Namibia): Let me also start by thanking Mr. Annabi for the comprehensive briefing he gave us on East Timor.

At the outset, my delegation would like to pay tribute to Mr. Sergio Vieira de Mello and the staff of the United Nations Transitional Administration in East Timor (UNTAET) for their accomplishments so far and for the solid foundation created to date for the reconstruction and administration of East Timor. We recognize indeed the daunting task that they and the international community face, a situation that is exacerbated by, among other things, the very high expectations of the East Timorese people. In this regard, the constant efforts of Mr. Vieira de Mello and the East Timorese leaders to promote confidence-building and reconciliation are noted and are very welcome. At the same time, the consultations and participation of the East Timorese at all levels in decision-making mechanisms remain crucial to ensure the success of future projects.

My delegation is glad to note a recent report of the Office of the United Nations High Commissioner for Refugees, which states that life has returned to normal in most areas in East Timor and that children attending school is a familiar sight in villages. However, we also recognize the other socio-economic problems that remain, such as large-scale unemployment and the potential consequences this situation can have on security. I believe this point was adequately elaborated on by Mr. Annabi. No doubt there is an urgent need to address the situation, and the continuing efforts of UNTAET through job creation and other empowerment projects are welcome.

My delegation is satisfied with the general security situation, although cross-border incidents remain a concern. We are, however, confident that the measures being adopted, such as the recent signing UNTAET and Indonesia of a Memorandum of Understanding on security, boundary-crossing, the passage of refugees and the provision of humanitarian assistance along the border of East and West Timor will indeed go a long way towards improving the situation. We therefore hope that improved border safety will further speed up the safe repatriation of refugees to East Timor.

Mr. Chen Xu (China) (*spoke in Chinese*): I wish at the outset to thank Mr. Annabi for his comprehensive briefing. The Chinese delegation is happy to see that the situation in East Timor is generally stable. We also appreciate the great efforts made by the Special Representative of the Secretary-General, Mr. Vieira de Mello, and his team under very difficult circumstances. The task of reconstruction in East Timor is a daunting one. With the help of international financial agencies, the United Nations Development Programme and donor countries, reconstruction is now under way in some major areas, such as infrastructure, education, public health, agriculture and telecommunications.

We are also happy to see that the National Consultative Council is now conducting its work fairly smoothly. We believe that this is a good way to enable the local population to participate in the decision-making process. At present there is a serious lack of skilled personnel and civil servants, especially civil and judicial personnel. We hope that the United Nations Transitional Administration in East Timor (UNTAET) will work even harder in training the local population in this regard.

We believe that only reconciliation and stability in East Timor will ensure its reconstruction and independence. In this respect, some problems and difficulties remain. We hope that the various parties in East Timor will continue to work in earnest towards their solution.

We are concerned about the question of refugees remaining in West Timor. We hope that UNTAET will continue to seek solutions to this issue through consultations with the Indonesian Government. We also welcome the measures taken by the Indonesian Government to ensure security along the border with East Timor.

When Mr. Vieira de Mello visited China in mid-April, we reiterated China's support for UNTAET. We will continue to provide personnel and financial assistance to the extent possible.

Mr. Ward (Jamaica): My delegation joins in thanking Mr. Annabi for his briefing on the latest developments in East Timor. We also wish to extend our appreciation to you, Mr. President, for the manner in which you have presided over the Council this month.

Mr. Annabi's briefing brings us to recognize that there are numerous and difficult challenges still facing the United Nations Transitional Administration in East Timor (UNTAET), as well as the people of East Timor, in laying the foundations for the development of an independent country. We wish to commend UNTAET for

its work and the people of East Timor for their continuing will and determination to see the process through to fruition.

My delegation has taken note of the recent developments in East Timor in laying the foundation for the future development of the country. Among these are the announcement by UNTAET that East Timorese would be appointed to top administrative positions in the new administration and the establishment of advisory councils, which will provide regular forums for exchanges of views between UNTAET and district representatives. We are pleased that these advisory councils will allow East Timorese to voice their concerns on issues such as development, law and order, infrastructure and public service, as well as humanitarian issues, and will have broad-based representation. These developments are further steps towards creating a sense of ownership among the East Timorese people, which will ensure that no gaps are created when the current Transitional Administration ultimately places control in the hands of the East Timorese people.

We are pleased with reports that militia activities have decreased and that relations between UNTAET forces and the Indonesian armed forces have improved considerably. This augurs well for the future of East Timor. We are also pleased that the return of refugees continues at a steady pace, but we are concerned that so many refugees still remain in West Timor refugee camps. We look forward to a final resolution of the refugee problem as soon as possible.

Employment continues to be one of the most critical issues facing East Timor as the territory attempts to rebuild its economy after the destruction and devastation of last year. The reality is cause for grave concern. It is disturbing to note that approximately 80 per cent of the population of East Timor is unemployed. If this precarious economic and social situation persists, it will undoubtedly lead to further increases in criminal activity. The recent job creation project which was launched on 1 April by UNTAET, the United Nations Development Programme and the World Bank should have a positive effect on the employment situation. Community participation, which the project requires, is, in our view, a good opportunity to engage local communities in building efforts. Recent developments, such as the signing of the Memorandum of Understanding between UNTAET and the United States Agency for International Development, will also contribute to the involvement of local communities.

It is important to recognize that short-term, quick-impact and labour-intensive projects should be seen in the context of their contribution to the long-term sustainable development of East Timor. These projects cannot be seen as ends in themselves, but are designed to lay the proper foundations and create the necessary conditions and infrastructure which will allow the East Timorese people opportunities to obtain gainful employment in the future.

The restoration of health services in East Timor is critical. We have observed that access to basic health services, developing health legislation and instituting management systems have been given priority attention. In this regard, the plan to restore health services in the territory is indeed timely.

Those responsible for gross human rights violations in East Timor must be brought to justice. Last month, we welcomed the decision by the Government of Indonesia to invite three respected human rights groups to join investigators in probing human rights violations in East Timor. The recent agreement between UNTAET and the Government of Indonesia to cooperate in judicial and human rights matters is encouraging and will certainly facilitate joint efforts to investigate and prosecute the human rights violators. These efforts must continue in earnest.

Jamaica attaches great importance to the reconciliation process in East Timor. We note recent reports of the return of former militia members and combatants to their communities — an essentially smooth process, to the credit of the East Timorese, who are determined to heal their society.

There is much that remains to be done in East Timor. The United Nations is seeking to create the proper foundation for this work. While recognizing that significant change cannot be expected overnight, we continue to support UNTAET's work in this regard.

The President: I thank the representative of Jamaica for his generous words addressed to me.

Mr. Krokhmal (Ukraine): Like previous speakers, I would like to thank Mr. Annabi for his informative briefing on the latest developments in East Timor.

My delegation shares most of the views that have already been expressed this morning, in particular those relating to security issues. Allow me now to make brief remarks only on certain points which my delegation considers to be important.

We share the concerns about the economic and social conditions in East Timor. Of course, their substantial improvement will come about only through the persistent efforts of the international community. In this connection, we welcome the fact that the United Nations mission in East Timor, the World Bank and the United Nations Development Programme have signed a grant agreement on the project to increase the rate of employment in the poorest communities of the city of Dili, as well as the introduction by the mission and the United States Agency for International Development of an emergency scheme that will enable districts to hire local staff on a short-term basis.

We are pleased to note that Special Representative Sergio Vieira de Mello has signed the instructions establishing district advisory councils. We feel sure that these will be of value in moving forward the dialogue between the United Nations Transitional Administration in East Timor (UNTAET) and district representatives.

Turning to the Memorandum of Understanding on cooperation in legal, judicial and human rights matters, my delegation supports the cooperative approach shown by the parties towards the investigation of the violence and human rights abuses and the prosecution of those responsible for them. Clearly, UNTAET and the Government of Indonesia have much to occupy themselves with in order to have in place a proper political framework which supports and facilitates a restoration of justice in East Timor.

As this briefing indicates, the number of refugees returning from West to East Timor has decreased significantly this month. Obviously, because of deterioration of basic services and uneven food distribution in the Indonesian-run refugee camps in West Timor, there has been a problem of sporadic food rations in the past three months. The Indonesian Government supplies roughly 10 per cent of the food that the refugees need, while the World Food Programme covers 45 per cent and the Catholic Relief Services handles the rest.

We are concerned with this situation. Since last October more than 158,000 refugees have returned to East Timor, including 30,000 who have returned this year. According to the Indonesian authorities, there are still 134,000 refugees in West Timor. We believe that the resolution of the problems of unemployment and the valuable reintegration of refugees into East Timorese society will facilitate their return.

A high rate of unemployment remains a serious problem and is also causing the increasing crime rate. Timely and complete civilian police deployment is very important in this regard. I am pleased to inform you that the Ukrainian rapid reaction police unit has this month joined the civilian police component of UNTAET. We believe that implementation of the reconstruction and development projects will create new job opportunities and eventually will be a substantial contribution in terms of internal stability within East Timor society.

It is also of critical importance now to stop the cross-border incidents along the border with West Timor. In this regard, we are pleased to note the efforts undertaken by the Indonesian Government to clamp down on the militia activities in West Timor, and we urge it to continue such efforts.

In conclusion, Mr. President, let me pay tribute to the Special Representative, Mr. Sergio Vieira de Mello, and the United Nation staff for their efforts, which my delegation strongly supports.

Mr. van Walsum (Netherlands): We too are grateful to Assistant Secretary-General Annabi for his comprehensive briefing, and we also wish to thank you for having called an open meeting on the issue of East Timor, an issue which, by its nature, lends itself well to discussion before the full membership of the United Nations. Apart from thus underpinning the trend towards greater transparency of the Council proceedings when transparency is useful, which is so dear to the Canadian presidency's heart, it also makes it clear to everyone that the United Nations and its Security Council are committed to making a success of their involvement with East Timor.

We are conscious of the fact that we are not just dealing with the future of the people of East Timor but that also the reputation of the Security Council of the United Nations itself is at stake. Precisely because this Council acted so expeditiously during the crisis of September 1999, the world is now watching to see whether the United Nations can do the job of getting East Timor started on its way to independence.

East Timor demands our constant attention, but it also requires financial support. The International Herald

Tribune of 26 April 2000 carried a collective contribution by Xanana Gusmão, Sven Sandstrom, Shigemitsu Sugisaki and Sergio Vieira de Mello, and in this article the need for donor support is also emphasized. In this connection, it is my pleasure to state that in addition to the $19 million we have made available in response to the Office for the Coordination of Humanitarian Affairs (OCHA) appeal, the Netherlands will shortly deposit about $2.2 million in the UNTAET Trust Fund.

International support may be a necessary precondition for success. It alone is not sufficient. It is also crucial that the East Timorese population supports the process of reconstruction and that it continues to believe in it. Therefore, it would seem necessary that the East Timorese understand what the obstacles are in the process and the limitations to what the United Nations and other organizations can do within a given period of time.

Several speakers have made mention of the recent media reports which indicate that a certain disillusionment with the United Nations efforts is taking root in East Timor because the people do not see concrete results in their everyday lives. When I suggest that we should take these reports seriously, I am not at all suggesting that UNTAET is not doing its job. Quite on the contrary, UNTAET is doing splendid work and deserves our profound admiration.

We all know the circumstances of utter destruction and neglect in which the Transitional Administration had to begin its very complex task. It is also true that the absence of any kind of structure required an enormous amount of preparatory work which has remained invisible to outsiders. Nevertheless, if there is a problem of increasing disillusionment or demoralization among the population of East Timor, then it is, by definition, our business. It is an issue with which UNTAET and the international community as a whole will have to deal.

Perhaps there may be a need for more visible projects and a stepped-up information campaign. In any case, the objective must be that the East Timorese themselves acquire a greater sense of ownership with regard to the process. The article I just referred to points out that the key to success is the participation of the East Timorese people in all aspects of the efforts currently underway in East Timor. Of course the cooperation in the National Consultative Council is an important aspect of East Timorese participation, but it is not easy to assess to what extent this involvement at the top gives the broad mass of the people of East Timor a sufficient feeling of influence, codetermination and contribution.

I realize that there are obstacles in the way to a greater involvement of the people, not the least of which may be the lack of suitably qualified East Timorese personnel. According to the article I mentioned, the search for qualified personnel is under way and training is being provided. I would be grateful for more specific information in that regard.

The United Nations is currently concentrating on domestic civilian reconstruction, and rightly so. Nevertheless, we should realize that external peace and security are also essential. Several aspects are relevant in this respect. First, good bilateral relations with Indonesia — they depend on both sides, and the first steps have given rise to optimism. Secondly, integration in the wider region would also seem a prerequisite — including, possibly, membership in the Association of South-East Asian Nations (ASEAN), if ASEAN members should so decide.

The international community cannot remain silent on the issue of the many thousands of refugees who still remain in West Timor. We have a whole series of questions on this issue, such as how many of those refugees have expressed the wish to return to East Timor? What are the prospects for their return? Are the international aid organizations in a position to deliver effective support to the camp dwellers? Are the Indonesian authorities sufficiently cooperative, including in restraining the remaining militias? Our information indicates that the militias still enjoy relatively unrestrained freedom of action. It is disconcerting that more than half a year after the decision of the Indonesian People's Consultative Assembly, which the Security Council welcomed on 25 October 1999, the situation of the refugees in West Timor continues to be a source of concern.

Let me conclude by quoting the final paragraph of the article I have already quoted three or four times:

> "After the horrors of the past, East Timor has a just claim to an international commitment to concrete assistance, rapid response and respect for the aspirations to self-determination."

The President: I thank the representative of the Netherlands for his kind words addressed to me and, indeed, to the principle of transparency in the work of the Security Council.

Mr. Jerandi (Tunisia) (*spoke in French*): I would first of all like to thank Mr. Annabi for his comprehensive presentation.

It seems clear that, despite some remaining difficulties, the security situation is generally becoming more stable, particularly with the decrease in militia activity. We would like to underscore the goodwill displayed by the Indonesian Government in its cooperation with the United Nations, and the assistance it is providing for the return of refugees as a result of the memorandum of understanding it signed on refugee returns and border security issues.

The assistance of the international community in this area is very important. It is also equally helpful in reconstruction and in creating an economic environment conducive to the return to normalcy. We congratulate the United Nations Transitional Administration in East Timor (UNTAET) on the initiatives it has undertaken in various areas through Mr. Vieira de Mello's know-how, particularly in creating an environment favourable to investment and in setting up micro-projects to create employment.

The entire political process in Timor in fact depends on the solidity of the financial institutions. In this connection, we think that United Nations and World Bank disbursements should take place quickly given the importance of funds in preventing an increase in social tensions. My delegation believes that particular importance should be given to this aspect.

The President: I will forego making a statement in my national capacity, as previous speakers have amply and effectively registered the points I might have made on behalf of Canada.

I am pleased, therefore, to give the floor to Mr. Annabi so that he may respond to comments and questions addressed to him.

Mr. Annabi: As it is rather late, I will try to be brief.

I will of course be happy to convey to the Special Representative the expressions of appreciation for his work that have echoed around the table, as well as the concerns mentioned by some members of the Council regarding the continuing activities of the militias and the situation in the refugee camps in West Timor.

On the issue of disbursements, which has been mentioned by some members of the Council, we share the concerns expressed about the pace of the disbursements and the bureaucratic hurdles that have to be overcome in the process. Those expressions of concern are actually helpful to those of us who are trying to get around some of these problems and to resolve them as expeditiously as our rules and regulations will allow.

At this time, the United Nations trust fund has received some $24 million, of which $14 million has now been allotted and approved for expenditure. We will continue to work actively with the mission on the ground and with the World Bank to accelerate the pace of disbursements on the ground. I understand that requisitions for expenditures against the trust fund for large capital-expenditure projects are now out for bidding, and that some $4 million will be spent over the next three weeks; and that bids for another $7 or $8 million, for rehabilitation, will be allocated to 21 buildings of the East Timorese police and administration that need to be refurbished. Of course, the salaries of civil servants — the number of which is growing — will continue to be paid.

I also want to mention in this regard that the Controller has authorized loans from the trust fund for the implementation of World Bank projects, pending the completion by the World Bank of its own procedures regarding the disbursement of funds in its own trust fund. These efforts will continue, and we will keep the Council informed.

With regard to pensions, this is an issue that is being discussed on a continuing basis with the Government of Indonesia, which has so far agreed to pay pensions to former civil servants until independence. What we would like to obtain, of course, is an agreement to pay pensions beyond independence and an agreement to pay pensions on a pro rata basis for former civil servants who worked in the previous administration in East Timor, as that would of course encourage them to go back. Some of those former civil servants could be of great help. Those discussions will continue and, again, we will keep the Council informed in this regard.

Concerning the issue of the Timor Gap, members of the Council may recall that last February UNTAET and Australia concluded a memorandum of understanding that extended the terms of the Australia/Indonesia Timor Gap Treaty for the duration of the transitional period. The National Council of Timorese Resistance (CNRT) has

indicated that it cannot continue under the terms of the old Timor Gap Treaty after independence. In close cooperation with the CNRT and the National Consultative Council, UNTAET is conducting negotiations with Australia on a regime that would govern the Timor Sea oil and gas reserves after independence. The first round of these discussions was held in March, last month, and we anticipate that a second round of discussions will take place in May or June. These negotiations have proceeded so far in a constructive manner, and we hope that they will lead to an agreement that will be consistent with current international law on the settlement of maritime boundary issues.

I think, Mr. President, that I will stop here. That covers most of the questions.

The President: I think it does, Mr. Annabi, and I thank you very much for the clarifications and responses that you have just made.

There are no further speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 1.30 p.m.

United Nations S/PV.4134

Security Council

Fifty-fifth Year

Provisional

4134th Meeting

Thursday, 4 May 2000, 6.05 p.m.

New York

President:	Mr. Wang Yingfan	(China)
Members:	Argentina	Mr. Cappagli
	Bangladesh	Mr. Chowdhury
	Canada	Mr. Fowler
	France	Mr. Teixeira da Silva
	Jamaica	Miss Durrant
	Malaysia	Mr. Hasmy
	Mali	Mr. Kasse
	Namibia	Ms. Ashipala-Musavyi
	Netherlands	Mr. Kooijmans
	Russian Federation	Mr. Sergeev
	Tunisia	Mr. Jerandi
	Ukraine	Mr. Yel'chenko
	United Kingdom of Great Britain and Northern Ireland	Mr. Eldon
	United States of America	Mr. Cunningham

Agenda

The situation in Sierra Leone

00-41727 (E)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-178.

The meeting was called to order at 6.05 p.m.

The President (*spoke in Chinese*): The fact that Secretary-General Kofi Annan, who has just returned to New York after visiting a number of countries, is attending this meeting attests to the great importance that he and the Secretariat attach to the situation in Sierra Leone.

Expression of thanks to the retiring President

The President (*spoke in Chinese*): As this is the first meeting of the Security Council for the month of May, I should like to take this opportunity to pay tribute, on behalf of the Council, to Mr. Robert Fowler, Permanent Representative of Canada to the United Nations, for his service as President of the Security Council for the month of April 2000. I am sure I speak for all members of the Security Council in expressing deep appreciation to Ambassador Fowler for the great diplomatic skill with which he conducted the Council's business last month.

Adoption of the agenda

The agenda was adopted.

The situation in Sierra Leone

The President (*spoke in Chinese*): I should like to inform the Council that I have received a letter from the representative of Sierra Leone in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Kamara (Sierra Leone) took a seat at the Council table.

The President (*spoke in Chinese*): The Security Council will now begin its consideration of the item on its agenda.

The Council is meeting in accordance with the understanding reached in its prior consultations.

I should like to draw the attention of the members of the Council to document S/2000/373, which contains a letter dated 2 May 2000 from Sierra Leone.

Members of the Council also have received photocopies of a letter dated 4 May 2000 from Sierra Leone, which will be issued as a document of the Security Council under the symbol S/2000/380.

Following consultations among members of the Council, I have been authorized to make the following statement on behalf of the Council:

"The Security Council expresses its grave concern at the outbreak of violence in Sierra Leone in recent days. It condemns in the strongest terms the armed attacks perpetrated by the Revolutionary United Front (RUF) against the forces of the United Nations Mission in Sierra Leone (UNAMSIL), and their continued detention of a large number of United Nations and other international personnel. The Council expresses its outrage at the killing of a number of United Nations peacekeepers of the Kenyan battalion and its deep concern for the UNAMSIL troops who have been wounded or remain unaccounted for.

"The Security Council demands that the RUF end its hostile actions, release immediately and unharmed all detained United Nations and other international personnel, cooperate in establishing the whereabouts of those unaccounted for, and comply fully with the terms of the Lomé Peace Agreement (S/1999/777).

"The Security Council considers Mr. Foday Sankoh, as leader of the RUF, to be responsible for these actions, which are unacceptable and in clear violation of their obligations under the Lomé Agreement. The Council condemns the fact that Mr. Sankoh has deliberately failed to fulfil his responsibility to cooperate with UNAMSIL in bringing these incidents to an end. The Council believes that he must be held accountable, together with the perpetrators, for their actions.

"The Security Council commends UNAMSIL forces and the Force Commander for the courage, resolve and sacrifice they have shown in attempting to bring this situation under control. It expresses its full support for their continued efforts to this end, and for the overall fulfilment of their mandate. It

calls upon all States in a position to do so to assist the Mission in this regard. The Council also expresses its support for the regional and other international efforts under way to resolve the crisis, including by the Economic Community of West African States.

"The Security Council will continue to monitor the situation closely and consider further actions, as necessary."

This statement will be issued as a document of the Security Council under the symbol S/PRST/2000/14.

The Security Council has thus concluded the present stage of its consideration of the item on the agenda.

The Security Council will remain seized of the matter.

The meeting rose at 6.15 p.m.

United Nations S/PV.4135

Security Council

Fifty-fifth Year

Provisional

4135th Meeting

Friday, 5 May 2000, 2.30 p.m.

New York

President:	Mr. Wang Yingfan	(China)
Members:	Argentina	Mr. Cappagli
	Bangladesh	Mr. Chowdhury
	Canada	Mr. Duval
	France	Mr. Teixeira da Silva
	Jamaica	Miss Durrant
	Malaysia	Mr. Misran
	Mali	Mr. Kasse
	Namibia	Mrs. Ashipala-Musavyi
	Netherlands	Mr. Kooijmans
	Russian Federation	Mr. Granovsky
	Tunisia	Mr. Tekaya
	Ukraine	Mr. Yatsyuk
	United Kingdom of Great Britain and Northern Ireland	Mr. Harrison
	United States of America	Mr. Minton

Agenda

The situation concerning the Democratic Republic of the Congo

00-41935 (E)

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The meeting was called to order at 2.30 p.m.

Adoption of the agenda

The agenda was adopted.

The situation concerning the Democratic Republic of the Congo

The President (*spoke in Chinese*): The Security Council will now begin its consideration of the item on its agenda.

The Council is meeting in accordance with the understanding reached in its prior consultations.

Following consultations among members of the Council, I have been authorized to make the following statement on behalf of the Council:

"The Security Council expresses its grave concern at renewed fighting between Ugandan and Rwandan forces in Kisangani, Democratic Republic of the Congo, which began on 5 May 2000. The Council endorses the statement made by its Mission to the Democratic Republic of the Congo on 5 May 2000 in Kinshasa calling for an immediate halt to the fighting.

"The Security Council condemns unreservedly the outbreak of military hostilities in Kisangani. This renewed fighting is, once more, threatening the implementation of the Lusaka Ceasefire Agreement (S/1999/815). The Council is also concerned by reports of the killing of innocent Congolese civilians.

"The Security Council demands that these latest hostilities cease immediately and that those involved in the fighting at Kisangani reaffirm their commitment to the Lusaka process and comply with all relevant Security Council resolutions. The Council reaffirms its commitment to the national sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo.

"The Security Council considers that this violent action directly violates the Lusaka Agreement; the 8 April 2000 Kampala Disengagement Plan; the 14 April 2000 ceasefire; the subsequent written instructions to field commanders to abide by this ceasefire; and relevant Security Council resolutions.

"The Security Council will remain actively seized of the matter."

This statement will be issued as a document of the Security Council under the symbol S/PRST/2000/15.

The Security Council has thus concluded the present stage of its consideration of the item on the agenda.

The meeting rose at 2.35 p.m.

United Nations S/PV.4136

Security Council

Fifty-fifth Year

Provisional

4136th Meeting

Tuesday, 9 May 2000, 10.30 a.m.

New York

President:	Mr. Wang Yingfan	(China)
Members:	Argentina	Mr. Listre
	Bangladesh	Mr. Chowdhury
	Canada	Mr. Duval
	France	Mr. Doutriaux
	Jamaica	Miss Durrant
	Malaysia	Mr. Hasmy
	Mali	Mr. Keita
	Namibia	Mrs. Ashipala-Musavyi
	Netherlands	Mr. Hamer
	Russian Federation	Mr. Gatilov
	Tunisia	Mr. Jerandi
	Ukraine	Mr. Yel'chenko
	United Kingdom of Great Britain and Northern Ireland	Mr. Eldon
	United States of America	Mr. Cunningham

Agenda

The situation in Bosnia and Herzegovina

Briefing by Mr. Wolfgang Petritsch, High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina

00-42325 (E)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-178.

The meeting was called to order at 11.30 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Bosnia and Herzegovina

Briefing by Mr. Wolfgang Petritsch, High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina

The President (*spoke in Chinese*): In accordance with the understanding reached in the Council's prior consultations, and in the absence of objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Wolfgang Petritsch, High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina.

There being no objection, it is so decided.

I invite Mr. Petritsch to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them a letter dated 4 May 2000 from the Secretary-General addressed to the President of the Security Council, transmitting a letter dated 3 May 2000 from the High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina, enclosing his report, document S/2000/376.

At this meeting, the Security Council will hear a briefing by Mr. Wolfgang Petritsch, High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina.

I call on Mr. Petritsch.

Mr. Petritsch: It is with great pleasure that I am here once again to address the Council and to present the sixteenth report on developments in Bosnia and Herzegovina. This report — the second since I was endorsed as the High Representative for Bosnia and Herzegovina by the Security Council on 3 August 1999 — covers a six-month period from last November. As in November, I think it best not to dwell in any detail on the substance of the report. Members can refer to the report itself for this.

Broadly speaking, progress in Dayton implementation is as slow and painful as ever, but it is working. I believe that it is more important than ever that the international community stick to the task. It is vital that our successes be consolidated.

I will give an assessment of the more significant recent successes and failures of Dayton implementation a little later on. But I would like, first of all, to give an indication of how I see our work developing in the future in Bosnia and Herzegovina.

My office, as members are perhaps aware, is now deep in preparation for the Brussels Peace Implementation Council (PIC) on 23 May. This will be the first full PIC since Madrid in December 1998. The PIC Steering Board met in Lisbon at the end of last week. There was broad consensus on the strategy I outlined to them at that time. I would like to hear what members have to say about this strategy, too.

In the past, Peace Implementation Council meetings have tended to take something of a scatter-shot approach to the problems of Bosnia and Herzegovina. There have been so many problems and the international community has striven to tackle all of them head on. This year's PIC, however, will be different. It has to be, because the international community no longer has the resources for the approach adopted in the past. It is therefore imperative that diminishing resources be concentrated to maximum effect.

Time is running out for international engagement in Bosnia and Herzegovina. Donor fatigue has set in. The $5.1 billion, four-year reconstruction aid package pledged after Dayton is now all spoken for. This spring, the Stabilization Force has reduced its troop numbers by nearly a third. That is why I focus on just three key areas of peace implementation. If we succeed in these areas, I firmly believe, reform in others will follow.

There are three areas: first, economic reform; secondly, the acceleration of the return of refugees and displaced persons; and thirdly, the consolidation of institutions, especially those at the state level.

The economy first. As I am sure members know, Bosnia is still far too dependent on international aid,

which in turn is steadily diminishing. If Bosnia is to have any hope of a secure future, the economy must become self-sustaining — and fast. This is still a poor country and, without growth, it is likely to become poorer still. Last year in the Republika Srpska — still by far the poorer entity of the two — the average monthly salary still languished at $100 a month.

Jobs and a secure economic future are increasingly important issues for the ordinary citizens of Bosnia and Herzegovina. That is of far more concern to them than the diet of ethnic separatism that is still being fed to them by the nationalist parties. That is why economic aspiration must be nurtured and cherished. Economic reform is one of the most potent weapons in our armoury in the fight to reverse the evil effects of the 1992-1995 war.

What is needed is investment, both domestic and foreign. The trouble is that the system governing the country's economy is to a large extent the same as it was in the days of communism, despite international pressure. Investors, unsurprisingly, are discouraged. Bosnia and Herzegovina's industry is still geared to the old command economy model. It largely comprises giant, state-run concerns — mines, steelworks and the like. They are completely out of step with the market requirements of the new millennium.

The Government's urgent task is to create an enabling environment so that investors can invest without going through a maze of bureaucracy. Most of all, we need to encourage small and medium-sized enterprises, to which the workforce in that country, most economic observers agree, is well-suited.

But the present system simply stifles enterprise. Perhaps the worst example of communist-era bureaucracy are the so-called "payment bureaux", through which all commercial and public bank transfers have to pass and which levy a substantial sum along the way. The payment bureaux are totally non-transparent and have a stifling effect on business of all sizes. They are also a cash cow for the nationalist parties, which exploit the system remorselessly. Consequently, we have agreed that the payment bureaux will be abolished in the course of this year.

The lack of a reliable banking system is another important obstacle to private investment, closely connected to the payment bureaux system. There are currently over 50 banks in Bosnia and Herzegovina, but not one of them can play the intermediary role necessary in a market economy. Many of the public-sector banks may be on the verge of bankruptcy due to their loans to loss-making publicly-owned enterprises. The numerous private banks are too small to provide the working capital necessary to kick-start enterprise. Overhauling the banking sector should encourage the participation of foreign banks and thus the necessary injection of capital.

Another key to modernizing the Bosnian economy is privatization. The process is already well under way, although the first stage — the opening up of the books of the big state-sector companies to independent audit prior to evaluation — has met with fierce political resistance. Perhaps this was inevitable, since the state companies are yet another source of funding for the established nationalistic parties. Such arrangements must not be tolerated. We have to start protecting the economic sphere from this kind of old-style intrusion.

I wish to turn now to the second of my strategic priorities: the acceleration of the refugee return process. Before I go any further, I should like to take this opportunity to extend a warm thank you to the United Nations and its agencies for their continued sterling work in this sector, in particular through the Office of the United Nations High Commissioner for Refugees (UNHCR).

The contribution of these agencies should not be underestimated. In this reporting period, I have had a chance to get out into the field more and see for myself the often unsung work that the United Nations agencies are doing there. I can assure the Council that I am thoroughly impressed. In the course of these trips to the field I have had a chance to speak to many refugees and displaced persons and I am more convinced than ever that return remains the number one concern among the public at large.

The issue is highly emotive. Four and a half years after the war, some 800,000 people are still internally displaced throughout Bosnia and Herzegovina. A further 300,000 are still refugees abroad. Facilitating their return is the number one means of normalizing life in Bosnia and Herzegovina.

Last fall I took two important measures designed to accelerate the return process.

First, I imposed a package of reforms to the legislation governing property return in the two entities. This removes the bureaucratic hurdles to property return,

which were being mercilessly exploited by politicians on all sides whose agenda was to obstruct the implementation of Dayton.

Secondly, I dismissed 22 public officials from across the country who had a proven track record of obstructionism, particularly of annex 7 of Dayton, the annex governing refugee return.

Now that spring is here and the refugee return season is properly under way, these two measures are beginning to bear fruit. So far this year there have been more than twice as many returns as there were in the same period in 1999. All the indications are that this welcome trend will continue. Granted, there is still a long way to go. Granted also that obstruction of the returns process continues in some areas.

But in general we have every reason to be encouraged. We are making headway in a task that was once thought impossible by naysayers. The ultimate goal, refugee return, which has become self-sustaining, is no longer merely gold at the end of the rainbow; it has become an achievable reality.

I reiterate: these successes would not have been possible without the tremendous support and expertise of the UNHCR, nor without the security provided in many, many instances by the United Nations International Police Task Force (IPTF).

I will turn now to the third of my strategic priorities: the consolidation of the common institutions.

This is really about state-building. If Bosnia and Herzegovina is ever to join the European family of nations — a family in which I firmly believe Bosnia truly belongs — then it must become a cohesive State, with central State structures that exercise real power. This includes a fully independent judiciary, without which long-term economic development and effective protection of individual liberties will be impossible. We are actively promoting the rule of law at the State and entity levels. For instance, we currently have a major public affairs campaign to promote respect for property rights as part of our efforts to accelerate returns.

I would like to commend the efforts of the United Nations Judicial System Assessment Programme (JSAP), which has worked tirelessly at its task of monitoring and assessing the existing judicial system and has participated in the developments of reforms to date. Just a few days ago, on 5 May, the Peace Implementation Council Steering Board met with Special Representative of the Secretary-General Jacques Paul Klein of the United Nations Mission in Bosnia and Herzegovina (UNMIBH) in Lisbon to discuss the crucial role of JSAP for the reform of this essential pillar of civil society.

Far too often in the past, inter-ethnic cooperation at the State level has been blocked by the nationalist bickering that, as we know all too well, has become a byword for Balkan political discourse.

Last November, as you may recall, the Members of the Presidency of Bosnia and Herzegovina made a declaration before the Security Council, pledging themselves, *inter alia*, to the establishment of a State Border Service. The arguments for such an agency are very clear. The citizens of any modern state have the right to expect their borders to be protected. When borders are as porous as those of Bosnia and Herzegovina have been in the past, the state treasury loses millions, because porous borders are an open invitation to graft and corruption in the sphere of customs and excise.

The State Border Service was seen at the time as an acid test of the Members of the Presidency's commitment to the concept of a functioning state — a concept to which they have all too often paid mere lip service.

Sad to say, the Presidency failed the test. The bickering began the moment they got home. In the end, I was forced to exercise my powers and impose the State Border Service. Not even a solemn declaration before the Security Council, it seems, could hold them to it.

Such disregard for the international norms and standards of State leadership was shown also with regard to other commitments the Presidency has entered into with the Security Council in the New York Declaration. The much-fought-over draft election law experienced the same fate as the State Border Service law. The Presidency did pass the draft election law to the Parliament as promised. But when it came to the vote, the Presidency Members were not prepared to influence their respective party members. They just stood by and watched as the draft law was voted down.

The New York Declaration committed the Presidency to also resolve another central institutional crisis, although one of a different kind, concerning the State Council of Ministers. Their efforts at resolving this crisis have been only slightly more encouraging.

Since 1997, the chairmanship of the Council of Ministers, which equates to the post of prime minister, has rotated. This compromise was probably necessary in order to get the institution formally working in the first place. Last year, however, the Constitutional Court ruled that the rotational and ethnically defined arrangement was unconstitutional and would have to be changed. The deadline for agreement on a new arrangement came and went. The result? This common institution, central to the workings of democracy in Bosnia and Herzegovina, fell into abeyance in February this year.

Almost unbelievably, the issue is still far from being satisfactorily resolved. The new law on the Council of Ministers, based on a proposal by the Presidency, follows the old patterns of ethnic parity and rotation. It remains to be seen whether the law will stand the test of the Constitutional Court.

The Members of the Presidency have given us yet another unedifying display of the kind of politics that they practice best. The ethnic agenda has once again taken precedence over what is best for the people of Bosnia and Herzegovina. For example, the primary principle guiding reorganization of the ministries was the ease with which they could be divided up among the three ethnicities.

All this merely confirms that the leaders of Bosnia and Herzegovina are still far from ready to take the responsibility that they should for their country.

Last November, I outlined to the Council my concept of "ownership". In the affair of the Council of Ministers, I have deliberately kept out of the fray, stressing the strong desirability of a solution arrived at purely by domestic consensus. The results are, I freely admit, a little depressing at first sight, although I believe that the policy of insisting on ownership is still the right one. Bosnia and Herzegovina is, and must always remain, their country.

But we will continue to press — by whatever means, including my powers to impose, if necessary — for the strengthening of the common institutions and an extension of their role in the life of the country. They are too important for the future to be left entirely to their own devices.

There are, I am pleased to say, signs that my central message, the establishment of the concept of ownership, is starting to take root in the hearts and minds of the people of Bosnia and Herzegovina. The result of the municipal elections, held across the country on 8 April, was one important sign.

Given the understandable scepticism expressed by some parts of the international community before the elections, two important points need to be made. First, the elections were peaceful and routine. They were run skilfully by the Organization for Security and Cooperation in Europe, while both the IPTF and the Stabilization Force played important roles in providing security at the polls. Secondly, the political landscape in Bosnia and Herzegovina is now more pluralistic than it was before.

I am much encouraged by this development: political pluralism is a sure sign that democracy in Bosnia and Herzegovina is maturing. It is also a sign that the voters are beginning to think for themselves, and to think about how politicians who seek to represent them will represent their interests. This does not mean the narrow, sectarian interests of the old ethnic ways of thinking, but the everyday interests of the ordinary public — issues like housing, employment, education and infrastructure.

The most significant shift of power was in the Bosniac areas, where the Social Democratic Party (SDP) made substantial ground at the expense of the Party of Democratic Action (SDA). This is important, because parties like the SDP — a modern, relatively multi-ethnic party — hold the keys to the country's future.

Only with leadership from modern, civic-orientated, tolerant political parties can Bosnia and Herzegovina hope to integrate with Europe. Based on the results of the municipal elections, the SDP is now the strongest party in the Federation. We expect it to do even better in future elections.

It is true that in the Bosnian Croat areas the Croatian Democratic Union (HDZ) still dominates, but it is worth noting that voter turnout in those areas was down to around 40 per cent — far lower than in previous elections, and also much lower than the national average.

This indicates that Bosnian Croat voters are growing weary of the HDZ, but have not yet found an attractive alternative. The HDZ, already shaken by the defeat of its parent party in Croatia earlier this year, seems to have taken this message to heart. It is now in the midst of a major restructuring, which we hope will lead to more cooperative officials at the municipal and cantonal levels in the future.

In the Republika Srpska, the exclusion of the Serbian Radical Party, the SRS, was completely successful. Its threats of physical violence and voter boycott proved to be a bluff. Even the arrest by the Stabilization Force of Momcilo Krajisnik, the one-time Serb member of the Presidency, only a few days before the elections, had little impact on voter behaviour.

Interestingly enough, although the Serbian Democratic Party (SDS) did well, it did not pick up as many SRS votes as it might have expected. In 1997, the SDS and SRS together won 44 per cent of the vote. Yet in this election, the SDS only won 37 per cent.

So pluralism is also growing in the Republika Srpska. The rise of a new party — the Party of Democratic Progress (PDP), led by a respected economist from Banja Luka, Mladen Ivanic — is significant, although we will have to see the PDP in action before blowing a trumpet.

Overall, I would say that while the nationalist parties are still strong, their grip is weakening. Our reform of the media, the professionalization of the police, our insistence on economic reform — all of these things are steadily eroding their sources of power.

Let us not lose sight of what this means. The defeat of the nationalist agenda in the political discourse of Bosnia and Herzegovina will have ramifications not just for that country, but for the entire Balkan region.

Bosnia and Herzegovina, we should always remember, is in the heart of the Balkans. If — by reforming the economy, by accelerating refugee return and by strengthening the common institutions — we can help the people of Bosnia and Herzegovina live peacefully with one other again, we can achieve that noble goal elsewhere in the Balkans, too.

I sense that the tide has already turned against the forces of nationalism in the Balkans. The defeat of the HDZ in Croatia earlier this year was convincing proof. Slobodan Milosević is increasingly isolated in Belgrade. The tide is turning in Bosnia and Herzegovina, too, although less dramatically. It must continue to be pushed.

It must continue to be pushed because the price of failure is too high. If we fail in our project in Bosnia and Herzegovina, then ethnically pure mini-States are likely to dominate South-East Europe in the twenty-first century. It is imperative that we persevere.

Dayton is working in Bosnia and Herzegovina. The remedy we are administering — our adherence to the principle of multi-ethnicity and the reversal of wartime ethnic cleansing, together with our insistence on real political and economic reform — is the right one.

The remedy can work elsewhere too — in Kosovo, for instance. The international community's patience has been sorely tried in that province, but Bernard Kouchner should not be discouraged. Success in establishing peace, as we have learned the hard way in Bosnia and Herzegovina, takes a great deal of time.

Believe me when I say that in Bosnia and Herzegovina there is light at the end of the tunnel.

The President (*spoke in Chinese*): I thank Mr. Petritsch for his comprehensive briefing.

I now give the floor to the members of the Council.

Mr. Chowdhury (Bangladesh): The thorough, engaging and very sobering presentation which has just been made by Mr. Wolfgang Petritsch forces me to set aside my prepared speech. I believe that this is a very special presentation that Mr. Petritsch has made. His thoughts are very poignant and full of implications, not only for Bosnia and Herzegovina but also for the whole region.

On 22 March we had an open briefing on Bosnia and Herzegovina, at which of course we did not have the privilege of listening to Mr. Petritsch, but we had a fairly good exchange on the current issues regarding that country. We very much appreciate Mr. Petritsch's briefing. I will touch on a few points from his speech. But we also appreciate the detailed report, the printed report which Mr. Petritsch presented to the Secretary-General for circulation to us on the implementation of the Peace Agreement on Bosnia and Herzegovina.

The appearance before the Security Council last November of the joint Presidency and the reaffirmation in the New York Declaration of the commitment to the Dayton Peace Accord were significant steps. But we are dismayed to hear from the High Representative that the implementation of the Declaration has been disappointing. The chief reason appears to be a lack of sufficient political will and motivation. As Mr. Petritsch has said, they are far from ready for the implementation of that Declaration. We are disappointed to hear that, but I believe that, in Bosnia, that is the reality.

We are very pleased that at one point the High Representative imposed the State Border Service on the region so as to establish law and order.

The pace of the implementation of the Dayton Peace Accord needs to be accelerated, and we hope that our discussion today will produce some guidelines in that direction. Much of the success of the efforts will depend upon the seriousness of the authorities, as we have just mentioned. Compliance and active participation by all will determine, to a large extent, how much political influence we — the Security Council, and the international community in general — will be able to exert, and how keen our involvement will be in the reconstruction efforts in Bosnia and Herzegovina. Here, we take full account of Mr. Petritsch's mention of the donor fatigue setting in with regard to Bosnia and Herzegovina. We also agree with him that it is imperative that diminishing resources be concentrated to maximum effect. I think that that is a very important point, and we are very pleased to hear about the three areas that he has identified: economic reform, the return of refugees and internally displaced persons and the consolidation of the institutions. I believe that this prioritization of focused action is very important, and I would like to support him fully in that regard.

We have noted with keenness the initiatives that the High Representative is taking to boost economic activities in Bosnia and Herzegovina. His office has already taken laudable initiatives in drafting laws on restitution, various privatization schemes, the investigation and prosecution of corruption cases and privatization and reform in the banking sector, which are worth noting and should be appreciated. We are also pleased to note that continued improvements have been seen in Bosnia and Herzegovina in the implementation of the decisions of the Human Rights Chamber and the recommendations of the Ombudsperson. We urge the entities, which are still being slow in implementing recent decisions of the human rights institutions, to redouble their efforts for compliance. We also note from the report that efforts to develop the capacity of civil society, including non-governmental organizations, to address human rights issues have continued.

We are happy to note that, as a result of the municipal elections on 8 April, in Bosnia and Herzegovina, as the High Representative has said, the political landscape is perceived to have become much more pluralistic, and we welcome that.

On the subject of refugees and internally displaced persons, we are very happy that decisive action has been taken by the High Representative and that the issue of refugees and internally displaced persons and of their return has become what he calls an achievable reality. We are very happy to learn about the collaboration of the Office of the United Nations High Commissioner for Refugees and the United Nations International Police Task Force in that regard. We convey our appreciation to them for that.

The point made by the High Representative regarding the Government's task of creating an enabling environment, so that investors can invest without going through a maze of bureaucracy, is very important and should receive our full support.

I should like to make one final comment, regarding institution-building. We believe that this is a very important aspect to be borne in mind. As the High Representative said, Bosnia and Herzegovina must become a cohesive State with central State structures that exercise real power. We believe that the independence of the judiciary and the setting up of institutions to ensure the rule of law are very important in that regard.

Finally, I should again like to express our deep appreciation to the High Representative for all the initiatives that he has taken and for his very significant statement and report with regard to the implementation of the Dayton Accord.

Mr. Hamer (Netherlands): I thank the High Representative, Mr. Petritsch, for his comprehensive briefing. We commend him for his energetic leadership in helping Bosnia and Herzegovina emerge from the miseries of its recent past.

The High Representative's report makes it clear that Bosnia and Herzegovina is far from functioning as a unitary State, and it notes explicitly that the ruling political parties maintain opposing visions of the State in which they are supposedly united. What is particularly disturbing is that this unproductive attitude prevails unabated at the level of the collective Presidency. Indeed, the biggest problem facing the country now appears to be the continued failure of its leadership to take collective responsibility rather than behave like unreformed ethnically based warlords protecting their own, and their communities', narrow, entrenched interests.

The same lack of commitment on the part of the country's political leaders is manifest in the economic field. In fact, economic and political vested interests converge in such a way that political dividing lines are maintained in order to protect economic interests. This absence of real leadership is unproductive and stands in the way of the full implementation of the Dayton Peace Agreement in accordance with the aspirations of the vast majority of citizens of all ethnic groups. Economic reform is an urgent matter if efficient use is to be made of the assistance provided by the international community and lasting economic stagnation is to be avoided.

The third main area for Dayton implementation is the return of refugees and displaced persons. Their return is essential to sustainable peace in Bosnia and Herzegovina and remains a litmus test for the peace process. I should like to reiterate my Government's view that the question of the return of internally displaced persons and refugees, and assistance to those who are willing to return, should be given the highest priority by all authorities at all levels. In this context, the Netherlands wholeheartedly supports the approach to the return of refugees and internally displaced persons taken by the High Representative.

In summary, I would like to assure Mr. Petritsch that we subscribe fully to his three strategic priorities of economic reform, acceleration of returns and institutional strengthening. We agree that economic reform is the most potent weapon for changing the economic status quo, which currently consolidates the entrenched interests of the leaders. Finally, we are encouraged that the impoverished people of Bosnia and Herzegovina are realizing more and more that their leaders are keeping their own personal interests closer to heart than the interests of their people. Indeed, the election results can be seen as an indication that, at last, the political landscape may be changing.

Mr. Doutriaux (France) (*spoke in French*): The French delegation thanks the High Representative, Mr. Petritsch, for his briefing this morning.

Once again, we regret that States not members of the Council that are directly involved in the search for a settlement in Bosnia and Herzegovina, and in particular the presidency of the European Union, were unable to speak at today's meeting.

Mr. Petritsch can count on French and European Union support for his work to achieve what he has called ownership of the future of the country by local leaders and by the population of Bosnia and Herzegovina. Time is of the essence. International assistance cannot continue at current levels. Other matters demand attention and resources. Local actors must be encouraged to shoulder their responsibilities. This is no easy matter. The High Representative has had to resort once again to his broad powers to impose important legislation on which local leaders were unable to agree. There continues to be a dilemma between the need for the High Representative to impose reforms and his wish to make sure that the authorities understand the responsibilities they must shoulder. That is another reason why we should demonstrate our support for the High Representative and encourage him to act decisively, maintaining the necessary dialogue, to make progress in key areas he has identified.

With the High Representative's permission, I should like to offer a suggestion with respect to the preparation of future reports to the Secretary-General. It might be a good idea if he were to devote a portion of his reports to detailed analysis of a specific problem or theme.

Our priorities echo those that the High Representative has just outlined: to weaken the grip of the nationalist parties, to strengthen and improve the functioning of institutions, to create the context necessary for the economy to take off, and to promote the return of refugees and displaced persons.

With regard to refugees, the next few years will probably provide the last chance for meaningful action to promote return. Later on, refugee and displaced families will have been away from the homes in which they lived before the war for more than 10 years. Children will have grown up there. Return will have become more difficult. We must take advantage of the new situation, relating to such factors as the political changes in Croatia, to resolve the problem in a regional framework.

The recent municipal elections increased the pluralism of Bosnian political life, and we hope that this trend will be strengthened in the next elections. Media reform and action in the area of the financing of political parties should also contribute to this needed movement towards greater democracy. In our view, such movement would be encouraged also by the adoption of a permanent election law.

In the economic sphere, much remains to be done to overcome local authorities' resistance to reform. The upcoming ministerial meeting of the Peace Implementation Council ought to accord particular

importance to economic priorities and reform, including the political effect of such measures. Greater importance should be accorded to the creation of a common economic space by eliminating all barriers and harmonizing the legislation of the two entities. Privatization must resume; there have been scanty results here, and the High Representative must play a catalyzing role. The privatization of public services is especially important. This economic reform must be aimed, *inter alia*, at promoting foreign investment in Bosnia and Herzegovina. All of this must be accompanied by a strengthened fight against corruption and organized crime.

The strengthening of central structures has a certain impact on such desirable developments. A true State, a State based on the rule of law, must be established. Projects carried out in close cooperation between the United Nations Mission in Bosnia and Herzegovina and the Office of the High Representative are aimed at evaluating the judicial structure and establishing a border service.

The European Union and its member States, which are by far the largest contributors in Bosnia and Herzegovina, can play a decisive role. The European perspective involves conditions that must be respected. The "road map" and the agreements on stabilization and association are useful tools in that regard. In our view, that European perspective is a powerful lever for achieving the changes that are needed in Bosnia and Herzegovina.

Let me put three questions to Mr. Petritsch. In his view, would it be possible quickly to make a difference in some of the important areas that he has mentioned? Secondly, does Mr. Petritsch believe that the elections to be held in the autumn will gradually enable a new generation of politicians to come to power, encouraged by the results of the recent municipal elections? And finally, in the longer term, after those elections, what does the High Representative consider can be done to strengthen cohesiveness in Bosnia and Herzegovina?

Mr. Jerandi (Tunisia) (*spoke in French*): The delegation of Tunisia takes note of the reports of the Secretary-General and of the High Representative for the Implementation of the Peace Agreement in Bosnia and Herzegovina. We thank them for their efforts and for the excellent quality of the documents before us. The reports refer to significant progress in the implementation of the mandate of the United Nations Mission in Bosnia and Herzegovina (UNMIBH). Despite obstructionist manoeuvring and delays in the complete implementation of the mandate, the situation has continued slowly but surely to evolve.

Let me make some comments on the two reports. It deserves to be noted with satisfaction that municipal elections under the rules of the Provisional Election Commission took place in April without major incident. The notable success of multi-ethnic parties shows, in our view, that ethnic parity is gaining ground.

Tunisia welcomes the steps taken by UNMIBH in police restructuring, including through the creation of the Law Enforcement Personnel Registry and of the inter-entity Ministerial Consultative Meeting on Police Matters, and through the integration of specialized police forces. All these important reforms will change the ethnic composition of the entire police force and will help strengthen integration. Such steps are particularly crucial because they will help strengthen national identity, which is the only way to mobilize parties around a common goal.

My country is particularly interested in the way in which the judicial system is developing. The international community must support UNMIBH efforts to ensure the success of the judicial reform that is under way. Here, impartial and trustworthy justice will be of particular importance in consolidating a State based on the rule of law and in rejecting a culture of impunity.

We note that despite encouraging progress the situation in Bosnia and Herzegovina remains precarious. Questions of the return of refugees and displaced persons and of the lack of security are reasons for concern, requiring firm commitment on the part of the international community. In that connection, we note the activities of United Nations bodies in various spheres.

I welcome the initiative to set up a Bosnia and Herzegovina police contingent for a United Nations peacekeeping operation. The psychological importance of this contribution, with its powerful symbolic potential, cannot fail to benefit the image of a Bosnia and Herzegovina that is multi-ethnic and prosperous, and by extension that of the entire Balkan region.

Clearly, the commitment of the international community, the international financial institutions and the donors is a priority to which due attention should be given. There is no doubt that lasting peace can be established only if it has an equally lasting economic and social basis.

Mr. Gatilov (Russian Federation) (*spoke in Russian*): We are grateful to Mr. Petritsch for his informative briefing and report, which give a generally objective evaluation of the current situation in Bosnia and Herzegovina. We agree with his idea that the Bosnian State must finally stand on its own two feet, reject the mentality of dependence and learn to live not merely from donors' assistance, but rather on their own internal resources.

We feel that the main task in the Bosnian process today is to help make Bosnia and Herzegovina a unified, sustainable State consisting of two equal entities on the basis of full and consistent implementation of the Dayton Peace Agreement. We see no alternative to this for the foreseeable future. If we make a realistic assessment of the situation in Bosnia and Herzegovina, we cannot fail to recognize that, despite the series of achievements we have heard of today, serious problems remain, primarily in the creation of state structures and economic reform.

We must acknowledge that no major breakthroughs in the implementation of the Dayton Accords have been made to date. The situation is far from ideal in the implementation of the New York Declaration of the Presidency of Bosnia and Herzegovina, in particular the creation of a permanent secretariat for that body, the adoption of a law on elections, the introduction of a single national passport and the creation of a unified border service, all of which Mr. Petritsch addressed in great detail today. Despite the positive effects of the elections in Croatia, tension remains in the interaction between the Croatian and Bosnian entities of the Federation of Bosnia and Herzegovina.

Although moderate forces were successful in the municipal elections held in April in Bosnia and Herzegovina, the nationalist parties continue to dominate the political life of the country, which remains divided along ethnic lines.

We cannot fail to be concerned at the persistence of serious problems with regard to the return of refugees, primarily representatives of ethnic minorities, because of the strong resistance of local authorities. We hope that the forecasts for the return of refugees that we heard today from Mr. Petritsch will be realized in the near future.

Still urgent is the task of reviving a normally functioning economy. The economy continues to be held hostage to rampant corruption and an all-pervasive bureaucracy.

On the whole, despite what we feel to be positive efforts by the High Representative, the Bosnian power structures are still unable to assume primary responsibility for the fate of their country. As a result, Bosnia and Herzegovina continues to be governed by command administrative methods and, to a significant extent, remains a kind of protectorate of the international community, kept afloat by the international presence there and economic assistance from abroad.

In this connection, we feel that the efforts of the international community — and primarily those of the Bosnians themselves — must be mobilized if the Bosnian settlement is to be made sustainable and irreversible, on the basis of scrupulous and comprehensive implementation of the Dayton Accords, by strengthening the multi-ethnic statehood of Bosnia and Herzegovina through the development of democratic structures and the observance of the rights of all peoples of the country and through solid mutual reconciliation and the cohesive work of all Bosnian parties and securing the appropriate degree of cooperation between both entities in all areas and at all levels, particularly in order to progress towards finding solutions to the outstanding issues.

For its part, Russia, as one of the active participants in the Bosnian settlement, intends to continue to make an active contribution to advancing the peace process in Bosnia and Herzegovina on the basis of the implementation of the Dayton Peace Accords.

Mr. Eldon (United Kingdom): I thank you, Sir, and High Representative Petritsch for coming to brief us this morning. I have to say that, like Ambassador Chowdhury of Bangladesh, I found his contribution thoughtful, insightful and the basis for what I hope will be a stimulating continuing consideration of the complexities of Bosnia and Herzegovina by this Council.

Mr. Petritsch and his team have clearly been working hard over the last six months. The United Kingdom particularly supports his efforts to focus the agenda on economic reform and to ensure that the leadership of Bosnia and Herzegovina take real responsibility for the future of their country. That is the only sustainable way forward. The international community — as other representatives have pointed out — cannot forever take the difficult decisions in Bosnia.

That is why we share Mr. Petritsch's concern at the inability of the leadership of Bosnia and Herzegovina to

take their political responsibilities. To paraphrase him, an ethnic agenda cannot be allowed to take precedence over what is best for the people of Bosnia and Herzegovina. The lack of implementation of the New York Declaration is, frankly, depressing.

As Mr. Petritsch makes clear, there is some way to go before we can be confident of long-term stability in Bosnia. Institutional reform must be accompanied by economic restructuring and progress on human rights. I would like to address briefly some of the areas where problems remain and ask for Mr. Petritsch's views on the next steps.

First, Mr. Petritsch has expressed frustration at the Parliamentary Assembly's failure to pass the election law. We share his concerns. This is an example of a broader problem - a tendency by the collective Bosnian leadership to duck the really difficult problems, as we also saw over the border service. We are concerned that Serb obstructionism in the Constitutional Court and on the constituent peoples decision is restricting our options. I should be grateful for the High Representative's views on how this issue can be tackled.

Secondly, and as Mr. Petritsch has said, we face serious challenges on the economic front. Although the economy has registered stronger than expected rates of growth, serious underlying weaknesses remain. We must make clear to the people of Bosnia and Herzegovina that they face a serious economic downturn if structural reform is not implemented. Again, this will require difficult and sometimes courageous decisions by the Bosnian leadership. We can only hope they will face up to them.

Thirdly, we must make progress in dealing with the inheritance of war. The United Kingdom welcomes the arrest of Momcilo Krajisnik. This sends a clear message that indictees of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 should be under no illusions. They will be held to account. The United Kingdom also welcomes the increased pace of return of minority refugees and internally displaced persons this year. We hope that the new Government in Croatia will have a positive effect on regional refugee return.

We also commend the Office of the High Representative and the Independent Media Commission on their comprehensive media reform programme, particularly the successful action against the illegal broadcasts by Erotel. But we remain concerned by the continued intimidation of independent media by established Bosnian political parties.

To return to what has become a constant theme of my — and, indeed, Mr. Petritsch's — interventions, senior Bosnian political leaders should take concrete steps to fulfil their responsibilities in this regard.

Mr. Duval (Canada) (*spoke in French*): Let me at the outset welcome the High Representative, Mr. Wolfgang Petritsch, to the Council table and thank him for his important briefing to this open meeting of the Council, although it could have been in an open debate.

As was emphasized by the Ambassador of Bangladesh, this is a very important report and contains elements that are applicable to more than just Bosnia and Herzegovina. I am aware that the High Representative has just come from Ottawa, where he had very detailed and important discussions with our Minister for Foreign Affairs and our Minister for International Cooperation, as well as two Canadian parliamentary committees. In view of yesterday's very heavy Canadian agenda and the detailed talks that took place in Ottawa, I am not going to reiterate today to him the Canadian position in detail. I should simply like to assure him of the full support of Canada in his efforts to bring about lasting peace in Bosnia and Herzegovina.

I would also like to add that his focus on three priorities — economic reform, return of refugees and institutional consolidation, as presented today in his briefing — seem to Canada to be the proper course of action. We believe that these are the major challenges before the international community, and that this is where our resources must be directed.

Let me conclude my very brief statement by asking Mr. Petritsch a question. In his briefing he described a rather paradoxical political situation. On the one hand, the municipal elections in April showed that the moderate parties have increased their share of the electorate, particularly in the Federation, and that the people of Bosnia and Herzegovina seem to be getting away from ultra-nationalism. On the other hand, however, the political leaders do not seem to be adopting the more progressive, future-oriented and flexible approach taken by the electorate.

I would like to know what the High Representative and the international community can do to alleviate this

paradoxical situation and take advantage of the positive trends that are emerging among the electorate, which is moving away from ethnic issues and is focusing on issues of reconciliation. How can those positive trends be used to relaunch the political process at the State level?

Mr. Cunningham (United States of America): I also want to thank High Representative Petritsch for his briefing to us today and to welcome him back here. We applaud the fact that he has been aggressive and effective in addressing some of Dayton's most difficult issues.

We note in particular Bosnia's recent municipal elections, which were conducted peacefully despite inflammatory rhetoric from certain quarters. The results reflect some important positive trends. Bosnia is finally beginning to transcend the excessive influence of ethnicity in its political life, and we hope that the Ambassador is correct that the everyday interests of ordinary people are starting to come to the fore.

We commend High Representative Petritsch for his strong leadership and for the close and effective relationship he has forged with the Organization for Security and Cooperation in Europe (OSCE). We encourage him to continue to draw on the full authority of his office to ensure that the parties live up to their international commitments.

In that regard, I would note that for all of our success in working out the New York Declaration last November, implementation remains critical. Some of the important commitments have been carried out, but more needs to be done. It will take the active efforts of Ambassador Petritsch, Special Representative Klein and OSCE representative Robert Barry to ensure that these important commitments are respected.

As noted by Ambassador Petritsch in his comments to us today, the international community must maintain its focused attention on priority areas such as economic reform, refugee return and the consolidation of central State institutions. The Security Council itself must maintain its commitment to the peace process, including continuing our strong support for the efforts of the United Nations Mission in Bosnia and Herzegovina (UNMIBH) to carry out its difficult and dangerous mandate.

With the help and support of High Representative Petritsch, Special Representative Klein has made important progress in strengthening Bosnia's police institutions. We welcome that, but we remain concerned about the security situation as the international community continues its more aggressive approach.

We applaud High Representative Petritsch's efforts to push the parties on economic reform. This is essential. Progress on this front is the best way to support responsible reformist leaders who have focused on peace and prosperity rather than on rekindling old hatreds.

We note also the progress that has been made in reducing defence expenditures. The positive electoral results in Croatia are accelerating this welcome development, which will help strengthen Bosnia's fiscal health and advance key common State institutions.

I want to draw special attention to the conclusion of Ambassador Petritsch's report to us today. He suggested that the tide has turned against the forces of nationalism in the Balkans, and that if we can assist the people of Bosnia and Herzegovina to live peacefully with one another again, we can achieve that goal elsewhere in the Balkans. That is a crucial point. Our aim is, and must continue to be, regional stability and peace. We must send a clear message to all, inside and outside Bosnia and Herzegovina, who would undermine this effort — the extreme nationalists, the indicted war criminals, the promoters of ethnic politics, the underground elements — that the Security Council and the international community will not be diverted and that we will not tolerate continued efforts to undermine the Dayton Agreement and, more broadly, lasting peace.

I thank Ambassador Petritsch for reminding us that the price of failure is too high.

Mr. Hasmy (Malaysia): My delegation extends a warm welcome to Ambassador Wolfgang Petritsch, the High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina. We thank him for his latest report and additional briefing to the Council. We continue to support and fully appreciate his determined efforts to ensure the full implementation of the Peace Agreement in Bosnia and Herzegovina.

There has indeed been progress in the peace implementation process, although it continues to be at a slow pace. We agree with Mr. Petritsch's assertion that the Dayton implementation process is working in spite of the slow pace.

We congratulate Bosnia and Herzegovina for the successful holding of its second municipal elections on 8

April without significant incident or disruption. We are gratified to note the relatively high voter turnout, particularly in Republika Srpska, despite calls by the Serb Radicals party for a boycott of the elections. This is not an insignificant development and is a telling blow to the extremists. This trend should be further encouraged so that the extremists can be further marginalized, if not completely isolated.

The writing on the wall is clear to the so-called nationalist groups. The people are increasingly abandoning the politics of narrow sectarianism for those of moderation. We agree that this maturing of the political process in Bosnia and Herzegovina may have wide-ranging implications for the entire Balkan region, in particular Kosovo.

Clearly much more remains to be done before peace and stability will endure in Bosnia and Herzegovina. The success of the peace process depends as much on the continued strong support of the international community as on the commitments of the Bosnian leadership and people. The continued cooperation of the people at every level is crucial for the full implementation of the Peace Agreement and the realization of the goal of a unified multi-ethnic Bosnia and Herzegovina.

It is in this context that we support the strategic concept of ownership as laid out by the High Representative. However, we continue to be concerned at the obstructionist policies and activities of certain extremist groups and individuals who are determined to undermine efforts to fully implement the Dayton Peace Agreement. Strong and specific measures may be necessary to counter such obstructionist activities.

A number of major challenges remain to be overcome. In addition to the strengthening and consolidation of common State institutions, the return of refugees and displaced persons — in particular the return of minorities — reconciliation among various ethnic groups and the overall promotion and protection of human rights, as well as economic reform, are among the main outstanding problems that have to be urgently and comprehensively addressed to facilitate the establishment of viable statehood for Bosnia and Herzegovina.

All of these require the continuing active involvement of the international community and the constructive support and cooperation of the leadership and people of Bosnia and Herzegovina. Ultimately, of course, the main responsibility for the achievement of peace and national reconciliation lies with the Bosnian leaders and the people themselves. We are of the view that the strategy being pursued is the correct one. The measures being taken in respect of the three areas outlined by the High Representative this morning with respect to economic reform, accelerated refugee return and the consolidation of institutions are commendable and should be sustained. Clearly, a fully functioning modern economy is imperative for a viable Bosnia and Herzegovina. The same is true in respect to the consolidation of its institutions.

The international community accords high priority to the return of refugees and displaced persons in all parts of Bosnia and Herzegovina. The safe return, particularly of minorities, is one of the important ingredients for lasting peace in that country. We note that minority returns took place in much greater numbers in 1999, compared to previous years. But the rate of these returns is still below expectations. We note the problems of administrative integration following return, and we hope that the implementation of the action plan of the reconstruction and return task force and the property law implementation plan, together with the improvements in other administrative matters, will address these issues, thereby encouraging more returns.

The New York Declaration, adopted by the Bosnian Presidency last November, was a landmark document that provides a road map for further progress in the peace implementation process. We note the High Representative's continuing disappointment regarding the implementation of the Declaration. We regret the fact that despite the recognized importance of the State Border Service, the law for this Service was not passed by the Parliament and had to be imposed by the High Representative. We strongly urge that the other measures embodied in the New York Declaration be implemented fully and without delay.

Finally, I would like to reiterate the special importance my delegation attaches to the work of the International Criminal Tribunal for the Former Yugoslavia in Bosnia and Herzegovina. It is a crucial and integral part of the overall reconciliation process in this country. We note the close cooperation of the Stabilization Force and the High Representative with the Tribunal and the increase in the number of recent arrests of indicted war criminals by the Stabilization Force. We are encouraged by the continuing efforts to apprehend other indictees who are still at large. We welcome the arrest of Momcilo Krajisnik and hope that the arrests of other indictees will follow soon. We encourage the Office

of the High Representative to continue to work closely with the Tribunal and to assist it in carrying out its mandate fully, with the sustained strong support of the international community.

Mr. Kuchynski (Ukraine): We thank Ambassador Petritsch for his very comprehensive briefing and the submission of the report covering the activities of the High Representative and the developments in Bosnia and Herzegovina over the last six months.

We appreciate the activities of the High Representative and his Office. We have taken note of a number of positive steps that have been achieved during the latest six months with the assistance of the Office of the High Representative in almost all areas of implementation of the civilian aspects of the Dayton/Paris Peace Agreement.

We are satisfied with the successful holding of the second municipal elections in Bosnia and Herzegovina in April, reported facts regarding the increasing use of the convertible mark and growth of foreign reserves, progress in the implementation of the ownership concept, the increase in the number of minority returns, promotion of the comprehensive judiciary reform and the establishment of judicial training.

My delegation commends the High Representative and his Office on the creation of the Brcko District of Bosnia and Herzegovina, which was officially proclaimed on 8 March 2000, and the appointment of its interim government, as well as the completion of the formation of the tri-ethnic Brcko District Police Service.

At the same time, it is obvious that the progress made by the entities in establishing their own State has been very slow and that the acts of obstruction persist. It is truly disappointing that the adoption of important legislation by the Parliament, or the elimination of persistent obstruction by entities officials of the implementation of the Peace Agreement, often requires decisive actions by the High Representative, as was the case in the imposition in January of a very important draft law on the State Border Service.

It is with regret that we learned from the report that some of the specific commitments made by the Presidency of Bosnia and Herzegovina in the New York Declaration of last November are still to be fulfilled. Specifically, these relate to the establishment of a permanent Secretariat of the Presidency, the adoption of the draft Permanent Election Law and the creation of a single national passport.

Despite the existing problems with implementation of the civilian aspects of the Dayton/Paris Peace Agreement, in our view the overall current situation in Bosnia and Herzegovina seems to be more promising than discouraging. Slowly but hopefully, the country, with the assistance of the international community, is moving forward from its recent tragic past towards a better future.

Activities of the High Representative and his Office continue to play a vital role in international efforts aimed at restoring peace and stability in this part of the Balkans. Therefore, as a member of the Peace Implementation Council and a member of the Security Council, Ukraine will continue its support for the High Representative's activities.

Finally, I would like to put a couple of questions to Mr. Petritsch on the basis of the information contained in his report.

The first question relates to the implementation of property laws. The registration of property claims is largely complete in both entities. At the same time, according to paragraph 71 of the report most claimants have still not received decisions confirming their property rights, because of the lack of political will and proper funding. Could Mr. Petritsch elaborate more on the reasons for such delays? How is the Office of the High Representative going to proceed in this situation with a view to enforcing the property laws?

My second question relates to what is being undertaken by the Office of the High Representative to eliminate discrimination against national minorities and returnees with regard to their social and economic rights, as set out in paragraph 82 of the report, and in particular with regard to the issuance of their identity cards, which give access to basic social services such as health care.

And, what are his views on the prospects for the establishment of the unified armed forces of Bosnia and Herzegovina?

Ms. Ashipala-Musavyi (Namibia): We thank you, Mr. President, for convening this meeting. We would like welcome the High Representative, Mr. Petritsch, to our midst, and we also thank him for his briefing. The excellent work that the High Representative and his

colleagues are doing in Bosnia and Herzegovina on behalf of the international community deserves our support. We believe that the Dayton/Paris Accords remain the viable mechanism for bringing peace and stability to Bosnia and Herzegovina.

We note with appreciation that, as reported by the High Representative, in November 1999 the Parliamentary Assembly adopted two essential laws: the Law on Asylum and Immigration and the Law on Refugees and Displaced Persons. In addition, we also observe with satisfaction the introduction into the legislative procedure of the Draft Permanent Rules of Procedure for Parliament, as well as the adoption by Parliament, on 13 April 2000, of the Law on the Council of Ministers.

In our view, the second municipal elections in Bosnia were among the positive developments that could not have taken place without the firm guidance and support of the Office of the High Representative and other major players involved in the implementation of the Dayton Peace Agreement.

We also regard the official proclamation of the Statute of the Brcko District as an exemplary achievement. The appointment of the interim government and District Assembly stand out as one of the practical building blocks for a future multi-ethnic and multi-religious Bosnia and Herzegovina. Indeed, the leaders in that country should set aside their political and ethnic differences and embrace the strength that they have in diversity so as to harmonize the wishes and aspirations of their people.

Against the backdrop of these positive developments, my delegation expresses its concern, in line with that of the High Representative, with respect to the little tangible progress on privatization programmes and the lack of political will from the leadership, especially the legislators in the upper House of Parliament, to get things done. We also register our concern about the application and practice of human rights and humanitarian law in the country. On balance, my delegation shares the frustration of Mr. Petritsch with the slow pace at which these issues are being considered by the leadership in Bosnia and Herzegovina.

In this context, we hope that the return of refugees and internally displaced persons to their homes and regions will provide the necessary momentum for the leaders of both entities to implement property laws throughout the country. We also hope that the implementation of the Stability Pact will help to speed up economic recovery and, as a result, create employment opportunities for the people.

Notwithstanding the problems involved in the fulfilment of the Dayton Peace Accords, we cannot fail to recognize the fact that the authorities in both entities have no meaningful alternative to cooperating with the Office of the High Representative and the international community in their quest for a comprehensive peace.

In conclusion, my delegation acknowledges the contribution of the international community, major international humanitarian institutions, the Organization for Security and Cooperation in Europe, United Nations agencies, the European Union and others to the people of Bosnia and Herzegovina.

Once again, we thank the High Representative for his very useful briefing, and Namibia wishes him well as he labours to assist the people of Bosnia and Herzegovina to realize their dreams.

Mr. Keita (Mali) (*spoke in French*): I should like to join other delegations in thanking Mr. Wolfgang Petritsch for the introduction of his very detailed report. My delegation would like to make the following comments on the question of Bosnia and Herzegovina, under consideration today.

Despite certain difficulties in their implementation, the Dayton/Paris Accords have established a sense of moral responsibility, a certain balance and a political framework guaranteeing stability and a real chance for Bosnia and Herzegovina. In this regard, the collective Presidency is required to ensure the full implementation of the Accords, showing real political will at the domestic level while seeking complementary solutions at the regional level.

My delegation welcomes the positive developments in the restructuring and modification of the mono-ethnic nature of the police force, in the creation of a stable judicial system and in the consolidation of a State based on the rule of law, all of which are essential for a truly democratic society. Real progress has been made in consolidating peace, freedom of circulation and the rebuilding of infrastructures.

However, despite the important contribution of the United Nations Mission in Bosnia and Herzegovina (UNMIBH) to the strengthening of national identity and the mobilization of the population around a common

endeavour, we note that the initiatives are being obstructed, and the support of the Security Council for UNMIBH is absolutely essential to overcome such resistance and to change the will of the forces opposing change. The best guarantee for lasting progress and stability in the country remains economic development. My delegation therefore requests the Bosnian authorities to work at bringing about economic and structural reform and cooperate more closely with the international financial institutions, in order to speed up the process of incorporating the country into the Euro-Atlantic structures.

The activities of the United Nations institutions — the United Nations Development Programme, the United Nations Children's Fund and the United Nations Educational, Scientific and Cultural Organization — must focus on programmes to strengthen capacities and training. Many tasks remain, requiring the cooperation of all the groups concerned. We therefore believe that it is necessary to strengthen programmes for the return of refugees and to combat violence against women and children.

In conclusion, I should like to express the support of my delegation for the priorities identified by Mr. Petritsch.

Ms. Moglia (Argentina) (*spoke in Spanish*): We should like to join other delegations in thanking Mr. Petritsch for his detailed written report, as well as for the very important information that he has just presented to us in this Chamber.

While there can be no doubt that, since the signature of the Dayton Agreement, progress has been made in a number of areas, it is also undeniable that such progress has largely been due to the constant pressure exerted by the international community to overcome obstructionist activities and the lack of political will on the part of those who, for ethnic reasons, continue to oppose the existence of a single, multi-ethnic State, thereby sacrificing the efficient functioning of the institutions. In this context, we, like other delegations, believe that it is disappointing that the New York Declaration has not yet been fully implemented, as can be seen, for example, with regard to the question of the single passport, and that in other cases, such as that of the law on the State Border Service, it has been necessary to resort to strong measures in order to ensure implementation.

Among the events to which Mr. Petritsch referred in his report, we cannot fail to mention the 8 April municipal elections. The participation of 66 per cent of the electorate was an important phenomenon, as was the even higher participation in the Republika Srpska in spite of the call by radical Serbs for an election boycott. In our view, whatever the actual results of the elections, the election of municipal officials is a valuable way to familiarize the population with the functioning of democratic institutions.

With respect to the rule of law and judicial reform, matters to which Argentina attaches high priority, we were encouraged to see in Mr. Petritsch's report that there has been considerable progress in the establishment of an independent and impartial judiciary. We must also stress the great effort being made in the war on corruption.

We note that a considerable part of the report is devoted to economic matters. To be sure, economic reforms of various kinds are crucial to ensure that Bosnia and Herzegovina can be a State that is self-sustaining and hence less dependent on outside assistance.

We are pleased that throughout Bosnia and Herzegovina a greater number of members of minorities returned in 1999 than in 1998. But the conduct of some officials — who for ethnic reasons or to further their own interests thwarted the right of refugees and internally displaced persons to return to their homes — was unacceptable. Here, we would be interested to know whether, despite the difficulties that persist for those who wish to return to Croatia, there has been progress in relations between the two countries since the new Government took power in Croatia.

Miss Durrant (Jamaica): My delegation joins in welcoming the High Representative for the Implementation of the Peace Agreement in Bosnia and Herzegovina. We wish to thank him for his very enlightening briefing. We also found his report to the Secretary-General extremely useful and informative.

While we appreciate that there have been several positive developments, it is clear that much remains to be done. In his statement to the Council last November the High Representative focused, *inter alia*, on the issues of property, the development of election law and common institutions, and their implications for the promotion of the national interests of a sovereign State. Today he drew our attention to the areas of economic reform, the acceleration of the return of refugees and displaced persons, and the consolidation of institutions.

When looked at as a whole, Mr. Petritsch's two presentations and his written reports indicate that the

Office of the High Representative and other organizations responsible for the implementation of the Dayton accords are faced with monumental challenges, particularly as they relate to entrenching a multi-ethnic society with multi-ethnic institutions. My delegation fully recognizes that success is contingent upon the cooperation of the people of Bosnia and Herzegovina and their leaders, as well as on the continued commitment and support of the international community. We therefore need to re-emphasize our expectation that the political will expressed at Dayton will be followed up in practice.

My delegation believes that peace and stability in Bosnia and Herzegovina are inextricably linked to peaceful coexistence and reconciliation. Without these, efforts at long-term sustainable economic development will not succeed. The implementation of the New York Declaration of 15 November 1999 is, in my delegation's view, central to the process currently under way in Bosnia and Herzegovina. In that declaration, commitment to the Dayton-Paris accords was reaffirmed, as was commitment to the establishment of a permanent election law and to the creation of a national passport and of the framework for the State Border Service. We note that some efforts have been undertaken in respect of the permanent secretariat. Regrettably, there has been limited progress in other areas; indeed, the implementation of the State Border Service had to be imposed in January by the Office of the High Representative.

My delegation would wish to hear more about the laws on asylum and immigration and on refugees and displaced persons that were passed by the Parliament in November 1999. And we ask whether these laws have contributed to the development of a proper legal framework on refugees and displaced persons.

My delegation is pleased that the second municipal elections were held, as scheduled, in April. This should have a positive impact on the democratic process in Bosnia and Herzegovina, and should increase the accountability of politicians to the electorate. This, we hope, will lay the groundwork for the eventual development of a multi-ethnic national government.

We believe that the consolidation of efficient State institutions is of fundamental importance to the long-term development of Bosnia and Herzegovina, and we are therefore concerned at the slow pace of the adoption of legislation, as noted in the High Representative's report.

Jamaica continues to attach importance to the rule of law and judicial reform. There have been positive developments in judicial reform, particularly the move towards the creation of an independent and impartial judiciary through the completion of laws regulating the selection of judges and prosecutors. The cooperation of all the relevant domestic organs in Bosnia and Herzegovina is of critical importance in these reform efforts. Training is also important and must be one of the pillars of judicial reform. In this regard, we note the efforts of the Office of the High Representative to promote the establishment of a nationwide structure for judicial training, and we would be interested in hearing more about the work of the joint advisory board which was formed under the auspices of the Council of Europe in February of this year.

We believe that judicial reform and the restructuring of the police force are linked. In order to effectively promote the rule of law, the judiciary and the police force must work in tandem. It is therefore encouraging to note that there has been movement towards a multi-ethnic police force, as we were advised at the open briefing of the Council in March. These efforts must continue. At the same time, the issues of trafficking in persons and of domestic violence have to be forcefully addressed.

My delegation also wishes to emphasize the importance that we attach to the cooperation between the Office of the High Representative and the International Criminal Tribunal for the former Yugoslavia. This has resulted in the apprehension of several individuals. We hope that the lack of funding will not delay action on missing persons and on exhumations.

It is encouraging to note that the rate of minority returns has increased. We recognize the efforts that are being made to create the conditions necessary for the reintegration of refugees and returnees. One example is the property law implementation plan launched in October 1999. We urge that efforts at depoliticization of the process continue, and we commend the Office of the High Representative, the Office of the United Nations High Commissioner for Refugees and the United Nations Mission in Bosnia and Herzegovina, among others, for their work in seeking to remove impediments to the return and reintegration of refugees and internally displaced persons.

We are, however, concerned at reports of obstruction to minority returns and urge the Office of the High Representative to continue to target political

interventions to unlock refugee potential. The establishment of effective mechanisms that will allow returnees to restore their property and occupancy rights and their access to personal documents is essential and should be actively pursued. The inclusion of returnees in reconstruction programmes in a non-discriminatory manner must also remain a priority.

As the High Representative reminded us, jobs and a secure economic future are increasingly important issues for the ordinary citizens of Bosnia and Herzegovina. It is therefore of concern to my delegation that problems of unemployment, education and administrative integration remain, and we hope that these will be actively addressed in the coming months. Programmes of capacity-building and technical assistance will undoubtedly be useful in helping returnees and internally displaced persons to integrate.

We were interested to learn from the Secretary-General's latest report that the United Nations Development Programme has been seeking to secure funds to support a three-year framework for capacity-building and technical assistance and has also been involved in the village employment and environment programmes. We would appreciate hearing from the High Representative about progress in capacity-building, as we believe that this will be the only real foundation for the creation of an enabling environment.

Finally, my delegation wishes to express its support for the work of the High Representative, the United Nations and other organizations in Bosnia and Herzegovina and we encourage them to continue their efforts to restore peace and stability and to promote sustainable development.

The President (*spoke in Chinese*): I shall now make a statement in my capacity as the representative of China.

Like all members of the Council, the Chinese delegation wishes to thank Mr. Petritsch for his detailed briefing. We have noted that, since the end of last year, the situation in Bosnia and Herzegovina has steadily improved. The municipal elections held in early April proceeded smoothly, by and large. Overall economic reconstruction in Bosnia and Herzegovina has also met with some measure of success. All this is the result of the efforts made by the people of Bosnia and Herzegovina and is also closely linked to the support of the international community.

We have also taken note of the fact that the building of national institutions has been progressing very slowly and that national reconciliation has encountered many obstacles and difficulties. The solution of these problems requires long-term and tireless efforts from the parties in Bosnia and Herzegovina and from the international community. In this context, the international community should focus its efforts more closely on realities in that country in an attempt to assist its people to realize their autonomy and independence.

I now resume my functions as President of the Security Council.

I call on Mr. Petritsch to respond to comments and questions raised.

Mr. Petritsch: I greatly appreciate the support expressed by the representatives of the Security Council here today and I consider it to be very important encouragement for our work in Bosnia and Herzegovina.

There were a number of questions asked and I should like to undertake to answer them.

There was first a suggestion on the part of the representative of France with regard to the format of the reporting to the Security Council. First of all, I need to say that, of course, the report has been complemented by my presentation today. Secondly, I consider this a very pertinent and important suggestion which we will look into, since, as I expressed in my presentation, we are now engaged in an effort to streamline the agenda by having adopted three priority areas. We might as well follow this streamlining in our reporting technique.

In regard to the questions asked by the French representative, I should like to answer as follows. When we talk about drawing distinctions, I believe it is important to point out that what we are trying to achieve in the field of economic reform is pertinent to this. This is a separation of the economy from political influence. This is the development of an attractive business climate. Of course, the privatization process must be conducted in a transparent manner and the creation of an institutional framework is necessary for a modern market economy, as is a judiciary framework, which we need to pay attention to. In short, what we are looking for is a system wherein the economic regulation, the regulatory system, is in place in regard to bank supervision, tax reform and enforcement, to give just a few examples.

Regarding the prospects for the fall elections, I should just like to say that I am expecting further progress in terms of people realizing how important the bread-and-butter issues of their daily life are, as opposed to the ethnic agenda that was put forward far too many times in the past. I also expect from the election that a new generation of politicians is going to enter politics in Bosnia and Herzegovina. There is concrete hope for a generational change, for an infusion of fresh blood into Bosnian politics.

Now, when it comes to reinforcing cohesion in politics in the system of Bosnia and Herzegovina, I believe that we need also to look at some of the issues of reconciliation. I believe that this will add to the cohesiveness of society. The arrest of war criminals and education reform need to be pushed much harder than they have been so far. This is, of course, a long-term project, but it is a necessary one. We have started to develop core curriculums to see to it that the nature of multi-ethnicity is represented in the schools, the school books and so on.

The return of refugees and displaced persons is also, of course, adding to the cohesiveness of society. Above all, there is, again, economic growth, which will contribute to a making a more prosperous country, to the fact that the people of Bosnia and Herzegovina will realize that they have a stake in this process: economic and social prosperity. Then, too, there is tolerance — coexistence as a first and realistic step towards a better future there.

By this, I do hope that I have also answered the question posed by the representative of Canada as well as one that was asked by the representative of the United Kingdom.

Now, in regard to the question on the election law posed by the representative of the United Kingdom, the status of the discussions on the election law is such that we will, immediately after the Peace Implementation Council at the end of this month, revisit the issue and see to it that the State Parliament of Bosnia and Herzegovina takes on this issue. The next elections this fall will, however — according to this new election law, which, as we know, has not been adopted by the State Parliament — be conducted according to the provisional rules and regulations of the Organization for Security and Cooperation in Europe (OSCE), which, most likely, pending the decision of the Permanent Council this coming 11 May, will be conducted, organized, supervised and financed by the OSCE. Again, I have to underline that this is a decision still ahead of us in the Permanent Council.

Turning to other questions posed by Canada in regard to the support for voters to move away from nationalism, I think that three points have to be made in this context.

First, elections are important. We need to exploit the election opportunities. We need to point out to the people time and again that change is possible and that democratic change is being brought about by elections.

Secondly, we need to emphasize economic reform. This is what I would call economic empowerment. People want jobs and opportunities for themselves and for their children, and we at the Office of the High Representative, we the international community, need to ally with the people of Bosnia and Herzegovina in insisting that the leaders take responsibility for economic reform. It is important for the international community, with regard to economic reform, to maintain conditionality.

Thirdly and lastly, I believe that public diplomacy could be very supportive. We have initiated some programmes to support and encourage domestic journalism to be more forthcoming when it comes to getting and telling the story as it is. Investigative journalism is very important in this context. We need to stress the importance of independent media, particularly in a country where the media played such a terrible role in the course of the war.

Let me now turn to the questions posed by the representative of Ukraine.

First, with respect to military reform, I believe it important to stress that the perspective of unified armed forces in Bosnia and Herzegovina is a long-term one. We need a longer-term perspective. Factually and basically, the armed forces in Bosnia and Herzegovina still consist of three groups. We need to consolidate them.

I believe it is also important to stress the aspect of human security. We need to put this into place. It is, of course, a gradual process, in which the institution of the Standing Committee on Military Matters, a common institution at the State level, is playing a key role.

Finally, we need to reduce military spending. We are now in the process of a 15 per cent reduction in terms of units and budget, which will go on through next year as well. In this context, I should like to point out that the new Government in Zagreb was extremely

helpful in getting more transparency into external support — Croatian support — for the military in Bosnia and Herzegovina. This is a very welcome addition to our efforts in Bosnia and Herzegovina.

Last year, as I have mentioned, I imposed property laws. This year we are actively pursuing their implementation, and so far we have seen quite good progress. But there is still some obstruction, and I am, of course, prepared to remove officials who obstruct this process. This is an absolutely necessary precondition in order to facilitate and improve on our performance in refugee return.

Some donors, particularly the United States, have given money in order to strengthen the local capacity to implement the property laws. This is a very welcome addition to our efforts. I should like to point out that over the past few months, as a measure, the housing offices in the communities all have been reinforced by an international representative. There are more than 150 housing offices throughout Bosnia and Herzegovina. They are the ones who facilitate property legislation and thus refugee return. Each has now been beefed up with an international representative, who is seeing to it that the laws are being implemented properly.

The next point raised by Ukraine was the prevention of social and economic discrimination against returnees with respect to identity cards. We at the Office of the High Representative are pursuing a policy aimed at ensuring the full enforcement of laws regardless of the ethnic background of the persons concerned. We have intervened to force the issuance of documents when local authorities refuse to do so. I will give just one example of the way we are reacting to refusal or non-compliance: just a few months ago, I removed the Minister of the Interior of canton 10 in part because of his refusal to apply the law equally and to protect all the people.

Finally, I should like to add that the Stability Pact focuses on regional return. We have established a very close working relationship with the Pact, which is basically following our practice of refugee return implementation. I can assure the Council that we have established an excellent relationship. I am confident that the Stability Pact will add to our efforts in the region, because refugee return is not a question that can be resolved within one country only, such as Bosnia and Herzegovina. We need to keep in mind the whole region of South-Eastern Europe.

In response to the question posed by Ukraine as to social and economic rights, let me say that we are working on this also in terms of accessing pensions and securing employment. We are also trying to eliminate discrimination against minorities and returnees when it comes to some of the utility companies in Bosnia and Herzegovina.

Now, finally, let me come to the delegate from Jamaica. These are of course highly technical issues that you have raised. I can say that with regard to the laws on asylum and immigration that were passed last November, these contribute remarkably and substantially to our overall efforts to regulate these issues. It might be of interest to you to note that Bosnia and Herzegovina, which — if I may say so — is basically a contributor to emigration, has in the course of the past year taken in refugees from Kosovo.

Regarding the judicial training, the joint advisory board that was formed by agreement at the meeting of the Council of Europe in Strasbourg in February of this year, as the delegate of Jamaica has pointed out, is a very important contribution and active support on the part of the Council of Europe to try to accelerate progress in the area of social and economic rights in Bosnia and Herzegovina. .

I might also note that we are now in the process of getting Bosnia and Herzegovina closer to accession to the Council of Europe. I do hope and I am confident that the three basic conditions that were set two years ago will be met in the course of the next month by the authorities of Bosnia and Herzegovina. This would basically give the green light for entry into the Council of Europe — a very important step towards European integration for Bosnia and Herzegovina.

I would like to close by again thanking the Security Council and you, Mr. President, for having been such an attentive audience here. I would like to thank the Council also for the support it has expressed. This is what we need in our work in Bosnia and Herzegovina.

The President (*spoke in Chinese*): I thank Mr. Petritsch for the clarifications and answers he has provided.

There are no further speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 1.35 p.m.

United Nations S/PV.4137

Security Council
Fifty-fifth Year

Provisional

4137th Meeting
Thursday, 11 May 2000, 10 a.m.
New York

President:	Mr. Wang Yingfan	(China)
Members:	Argentina	Mr. Listre
	Bangladesh	Mr. Chowdhury
	Canada	Mr. Duval
	France	Mr. Levitte
	Jamaica	Miss Durrant
	Malaysia	Mr. Hasmy
	Mali	Mr. Agoumar
	Namibia	Mrs. Ashipala-Musavyi
	Netherlands	Mr. Hamer
	Russian Federation	Mr. Granovsky
	Tunisia	Mr. Jerandi
	Ukraine	Mr. Yel'chenko
	United Kingdom of Great Britain and Northern Ireland	Mr. Eldon
	United States of America	Mr. Cunningham

Agenda

The situation in Georgia

Report of the Secretary-General concerning the situation in Abkhazia, Georgia (S/2000/345)

00-42663 (E)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-178.

The meeting was called to order at 10.45 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Georgia

Report of the Secretary-General concerning the situation in Abkhazia, Georgia (S/2000/345)

The President (*spoke in Chinese*): The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations. Members of the Council have before them the report of the Secretary-General concerning the situation in Abkhazia, Georgia, document S/2000/345.

Following consultations among members of the Security Council, I have been authorized to make the following statement on behalf of the Council:

"The Security Council has considered the report of the Secretary-General concerning the situation in Abkhazia, Georgia, of 24 April 2000 (S/2000/345).

"The Security Council welcomes the efforts by the Special Representative of the Secretary-General to enhance contacts at all levels between the Georgian and Abkhaz sides, and calls upon the parties to continue to expand such contacts. It supports the Secretary-General's appeal to both sides to make more active use of the Coordinating Council machinery, and actively to consider the paper prepared by the Special Representative concerning the implementation of the agreed confidence-building measures. In this context, the Security Council recalls with appreciation the invitation of the Government of Ukraine to host a meeting in Yalta.

"The Security Council believes that resolution of issues related to the improvement of the humanitarian situation, socio-economic development and ensuring stability in the zone of conflict would facilitate the peace process. In this regard, it calls upon the parties to finalize their work on and to sign a draft agreement on peace and guarantees for the prevention of armed confrontation and a draft protocol on the return of refugees to the Gali region and measures for economic rehabilitation.

"The Security Council notes with deep concern the continued failure of the parties to achieve a comprehensive political settlement, which includes a settlement on the political status of Abkhazia within the State of Georgia. It also notes the adverse impact that this failure has on the humanitarian situation, economic development and stability in the region. It calls upon the parties to display the political will required for a breakthrough and to spare no efforts in order to achieve substantive progress without further delay. In this regard, it joins the Secretary-General in encouraging the parties to be ready to consider proposals, based on the Security Council decisions, to be presented in due course by the Special Representative on the question of the distribution of constitutional competences between Tbilisi and Sukhumi.

"The Security Council strongly reaffirms the imprescriptible right of all refugees and internally displaced persons (IDPs) directly affected by the conflict to return to their homes in secure and dignified conditions. It calls upon the parties to agree upon and to take, in the nearest future, concrete steps towards implementing effective measures to guarantee the security of those who exercise their unconditional right to return, including those who have already returned. In particular, the undefined and insecure status of spontaneous returnees to the Gali district is a matter that must be addressed urgently. The Security Council encourages the Abkhaz side to continue the process of improvement of security conditions for returnees, which the Secretary-General notes may be beginning in the Gali region.

"The Security Council encourages the Special Representative, in this context, to continue his efforts, in close cooperation with the Russian Federation in its capacity as facilitator, the Group of Friends of the Secretary-General and the Organization for Security and Cooperation in Europe.

"The Security Council expresses its appreciation for the measures undertaken by the Government of Georgia, the United Nations Development Programme, the Office of the United Nations High Commissioner for Refugees, the Office for the Coordination of Humanitarian Affairs and the World Bank in order to improve the situation of those refugees and IDPs who have not

been in a position to exercise their right of return, to develop their skills and to increase their self-reliance.

"The Security Council notes that the situation on the ground in the United Nations Observer Mission in Georgia (UNOMIG) area of responsibility has remained generally calm although unstable during the reporting period. It welcomes all efforts which have been undertaken, in particular by the Special Representative, with a view to alleviating tensions and increasing confidence between the parties. It regrets that the Protocol of 3 February 2000 has not been implemented in full and, in particular, that the withdrawal of illegal armed groups has not been brought about. It is concerned at the tension created by recent attacks against Abkhaz militiamen. It deplores these attacks and the high level of criminal activities in the zone of conflict, as well as acts of violence against UNOMIG personnel and members of their families. In this context, the Council recalls the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel adopted on 9 December 1994 and the statement of its President of 10 February 2000 (S/PRST/2000/4). It calls on the parties to refrain from any actions which could increase tensions on the ground and to ensure the safety of the UNOMIG personnel.

"The Security Council welcomes the important contribution that the UNOMIG and the Collective Peacekeeping Forces of the Commonwealth of Independent States (CIS Peacekeeping Force) continue to make in stabilizing the situation in the zone of conflict, notes that the working relationship between UNOMIG and the CIS Peacekeeping Force has been good at all levels, and stresses the importance of continuing and increasing close cooperation and coordination between them in the performance of their respective mandates."

This statement will be issued as a document of the Security Council under the symbol S/PRST/2000/16.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 10.50 a.m.

United Nations S/PV.4138

Security Council
Fifty-fifth Year

Provisional

4138th Meeting
Thursday, 11 May 2000, 10.50 a.m.
New York

President:	Mr. Wang Yingfan	(China)
Members:	Argentina	Mr. Listre
	Bangladesh	Mr. Chowdhury
	Canada	Mr. Duval
	France	Mr. Levitte
	Jamaica	Miss Durrant
	Malaysia	Mr. Hasmy
	Mali	Mr. Ag Oumar
	Namibia	Mr. Andjaba
	Netherlands	Mr. Hamer
	Russian Federation	Mr. Lavrov
	Tunisia	Mr. Cherif
	Ukraine	Mr. Yel'chenko
	United Kingdom of Great Britain and Northern Ireland	Mr. Eldon
	United States of America	Mr. Cunningham

Agenda

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

Report of the Security Council Mission on the implementation of Security Council resolution 1244 (1999) (S/2000/363)

00-42669 (E)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-178.

The meeting was called to order at 10.50 a.m.

Adoption of the agenda

The agenda was adopted.

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

Report of the Security Council Mission on the implementation of Security Council resolution 1244 (1999) (S/2000/363)

The President (*spoke in Chinese*): The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the report of the Security Council Mission on the implementation of Security Council resolution 1244 (1999), document S/2000/363.

I give the floor to Ambassador Anwarul Karim Chowdhury, Head of the Security Council Mission on the implementation of Security Council resolution 1244 (1999).

Mr. Chowdhury (Bangladesh): It is a great honour for me to present to the Security Council the report of the Council mission on the implementation of Security Council resolution 1244 (1999), which visited Kosovo from 27 to 29 April this year. The report is in four sections, comprising the terms of reference of the mission, its composition, its activities and summary of meetings and, finally, the findings of the mission. It has 36 paragraphs, contained in these sections.

From the moment of the mission's arrival in Kosovo, its programme was very full and intense. It undertook a series of meetings with key actors, on-site visits to a number of places and encounters with representatives of various ethnic communities. The mission criss-crossed Kosovo, from north to south and east to west, from Mitrovica to Prizren and from Gnjilane to Djakovica, with Pristina as its hub.

We had an opportunity to have a series of in-depth discussions and interactions with various key people from the United Nations Interim Administration Mission in Kosovo (UNMIK) and the Kosovo Force (KFOR), in addition to those with the Special Representative of the Secretary-General, Bernard Kouchner, and the Commander of the Kosovo Force, General Juan Ortuño. We believe that the intensity of the visit and the tightness of the programme, accompanied by the richness of inputs, yielded very good results in terms of the objectives of the mission. Future missions of the Security Council could surely benefit from this experience.

The situation in Kosovo is extremely complex. Equally complex is the process of implementation of resolution 1244 (1999). Council members were able to realize, possibly for the first time, the magnitude of the task of the United Nations Interim Administration Mission in Kosovo (UNMIK) as we stepped through the programme, with each element bringing out a new dimension of UNMIK's work. As I said at concluding press conference in Pristina and elsewhere, the Security Council could not have envisaged such wide-ranging involvement of the United Nations in Kosovo when it adopted resolution 1244 (1999). Every day brings a new challenge, or the resurfacing of one tackled earlier. The leadership of UNMIK and of KFOR is engaged seriously in addressing these challenges with the determination and promptness that the occasion demands. The spirit of the staff of the international civil and security presences in Kosovo is very high, and the mission was extremely impressed by their teamwork and collaboration.

In the section on the activities of the mission, the report provides details, and I would recommend that Council members pay close attention to them.

A return to normalcy is gradually taking place in Kosovo. Economic activities are slowly picking up. However, the security situation poses a major and continuing challenge to UNMIK and KFOR. During the visit of the mission, a few violent incidents took place, making us comprehend better the reality of the situation.

In its interaction with the ethnic communities, the mission could sense the clear desire of people to live together in peace and engage in economic reconstruction and the restitution of law and order. The mission made use of every possible opportunity to send a strong message to the ethnic communities to reject all violence, to promote stability, safety and security and to cooperate fully with UNMIK in the implementation of resolution 1244 (1999). We are pleased to say that the mission's message was taken seriously, with the full understanding that a multi-ethnic society presents the best hope for the people of Kosovo.

The upcoming municipal election and the civilian and voter registration process, which commenced during the visit of the Mission, will be a major challenge for the United Nations in Kosovo in the coming months. The issue of missing persons and detainees has emerged as one of the major impediments to reconciliation and peaceful coexistence. This issue was highlighted, in particular, in the mission's meetings with families and communities that had been going through agony for months. Given the urgency of the situation, the mission felt that it was important to bring the matter regarding the appointment of a special envoy for missing persons and detainees to the attention of the Security Council. The return of internally displaced persons and refugees presents another impediment to this process, and needs to be addressed with caution and understanding.

The shortage in meeting the staffing requirements for both the civil administration and the civilian police was recognized by the mission as a serious constraint for UNMIK operations. The mission would therefore ask that necessary steps be taken in this regard by the Secretariat and contributing countries with absolute seriousness and urgency.

I will read out verbatim the section on the findings of the mission in order for the Council to comprehend fully the areas, both general and specific, which will require its subsequent attention.

Before I do so, let me take this opportunity to convey our sincere thanks to the Government of Italy for making excellent arrangements for our transportation to Kosovo and our return from Rome. On behalf of the mission, I would like to convey our special thanks, and would request the Permanent Representative of Italy, Ambassador Vento, to convey this to his Government. I also thank, on behalf of the mission, the Secretariat staff who accompanied the mission for their wonderful support for our work.

I shall now read out section IV of the report (S/2000/363), entitled "Findings of the Mission".

> "Since its deployment on 13 June 1999, UNMIK has made significant progress in implementing Security Council resolution 1244 (1999). The full and effective implementation of the Security Council's mandate requires sustained effort by UNMIK and KFOR and the full participation of local communities, which in turn demand active engagement of and support by the international community. All ethnic communities expressed a desire to live in peace together, but due to the recent violent conflict they are still deeply divided and the healing will require a long time. Despite a steady improvement in the overall level of violence and criminality, attacks against minorities continue and special measures of protection must constantly be maintained. KFOR's continued assistance in protecting minorities and joint security operations with UNMIK police thus remain vital.
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> "Inadequate physical, social and economic security remains a major concern. Lack of freedom of movement, access to education, health care, social services and employment hampers the return of internally displaced persons, primarily Serbs and the Roma, and significantly impedes the integration of ethnic minorities into public life. Regarding possibilities for reconciliation, there have been some positive signs, such as the general apology issued by the Serb community of Orahovac and the subsequent declaration from the Kosovo Albanian community at Orahovac inviting Serbs to stay and to cooperate in the future development of the community.
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> "Progress towards peaceful coexistence remains fragile. The painful issues of all missing persons and detainees, continuing violence, and the return of internally displaced persons and refugees continue to be major impediments to reconciliation and undermine the efforts to create a climate of tolerance and security. The Mission noted the strong support of the different ethnic communities for the appointment of a special envoy for detainees and missing persons. Given its urgency, the Mission undertook to report that support to the Council.
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> "The lack of an effective and unbiased rule of law in Kosovo was a recurring theme at many of the Mission's meetings. The Mission notes that UNMIK's intention to recruit international judges and prosecutors and their staff to work alongside their local counterparts will be critical to redress the perceived culture of impunity which currently undermines the judicial system. If UNMIK is to increase the effectiveness of the Kosovo judiciary, substantial voluntary assistance, both in personnel and material resources, is required. As regards the lack of sufficient policing resources, it is imperative for UNMIK to continue accelerating its training programmes for the Kosovo Police Service. The multi-ethnic and gender-sensitive Kosovo Police Service development programme and the OSCE-led

Kosovo Police School should serve as models for future institutions in Kosovo. The Mission was appreciative of the fact that human rights education and acquired immunodeficiency syndrome (AIDS) awareness are part of UNMIK's police curriculum.

"While noting the serious staffing constraints faced by UNMIK in civil administration and police, the Mission recognizes the significant imbalance in wages between its locally recruited civil service staff and the rest of the Kosovo population (a similar situation exists in United Nations Transitional Administration in East Timor operations). It feels that both issues should be pursued through the appropriate General Assembly process.

"To ensure an organized, expeditious and sustainable return, significant resources will be required in order to create appropriate conditions for the returnees by increasing Kosovo's absorbing capacity.

"The recent participation of the Serbs as observers in the Joint Interim Administrative Structures, including the Kosovo Transitional Council and the Interim Administrative Council, is encouraging and hopefully will lead to their full participation and a larger representation of non-Albanians in the Structures. Bosniac and Roma representatives, however, have yet to join the Transitional Council. At the same time, the Mission noted that a major effort by the international presences and long-term nurturing will be necessary to achieve progress in reconciliation. Nonetheless, the Mission noted several examples of more positive relations between communities at the local level. Discussions at this level are less politically charged and focus on practical modes of cooperation. Efforts to promote cooperation and interface between ethnic communities at the local level, including the establishment of multi-ethnic municipal councils, administrative boards and rapid-impact employment projects, could foster peaceful coexistence.

"The civil and voter registration processes in Kosovo, in view of the forthcoming municipal elections, have just begun. It is unfortunate, however, that all factions of the Kosovo Serb community have chosen not to participate in this process, due to the current lack of physical security and freedom of movement. Substantial efforts by UNMIK and KFOR, backed up by the strong support of the international community, are essential to encourage and create the conditions for Serb participation, including those who are displaced outside Kosovo.

"The Mission welcomes the renewal of contacts between leaders of both communities in Mitrovica, and believes that joint community-based programmes, which it had an opportunity to observe while there, have a potential for confidence-building and reconciliation.

"The Mission notes UNMIK's intention to continue working to establish a Joint Committee, which is aimed at enhancing productive dialogue with the Federal Republic of Yugoslavia authorities. KFOR is continuing to maintain regular contact with the Federal Republic of Yugoslavia authorities on military issues within the framework of the Joint Implementation Committee.

"The Mission is cognizant of the imperative for UNMIK to foster economic recovery as a means of underpinning confidence-building and reconciliation efforts at the local level. The Mission welcomes the deployment of economic reconstruction representatives of the European Union at the municipal level. It further supports UNMIK's view that economic investment priorities must be guided by UNMIK to ensure maximum effectiveness of donated funds. Property issues, however, remain unresolved, and could potentially undermine international efforts aimed at the economic recovery of Kosovo and even peace initiatives by UNMIK.

"The Mission feels that detailed information on KFOR's activities in the implementation of Security Council resolution 1160 (1998) should be provided to the Committee established pursuant to resolution 1160 (1998).

"It was emphasized to the Mission that UNMIK has only been deployed for some 10 months, and that as a result there should be realistic expectations of what it could achieve in that limited period. Healing the wounds inflicted by the conflict will take time. Reconciliation is a long and protracted process, and the international community must be patient and persistent. UNMIK and KFOR have made significant progress in implementing their mandates and must be commended for their efforts, often made under difficult and challenging circumstances. The Mission notes the enormity of

the task faced by UNMIK, and commends in particular its efforts in the capacity and institution-building areas. Further efforts to ensure full implementation of its resolution 1244 (1999) remain a high priority of the Security Council.

"The Mission wishes to pay a well-deserved tribute to Mr. Kouchner for his outstanding leadership of UNMIK and his commitment to the success of the Security Council objectives in Kosovo. The Mission also expresses appreciation to General Ortuño, Commander of KFOR, for his determined efforts and commitment. The hard work and dedication of their collaborators and the entire staff of UNMIK and KFOR, have earned the praise of the Mission. The Mission is deeply appreciative of all the support provided by UNMIK and KFOR which was crucial to its success." (*S/2000/363*)

Let me conclude by saying, as has been mentioned repeatedly in our report, that the healing of wounds and the process of reconciliation may take a long time, but the international community cannot afford to relent. It has invested in Kosovo in a big and positive way and it cannot afford to fail.

Mr. Duval (Canada): I would like to begin my intervention by thanking Ambassador Chowdhury for the impressive leadership that he displayed as head of the Security Council mission to Kosovo. He constantly and very eloquently found the right words to convey to the communities we visited the essential message of our mandate: reject violence, ensure public safety and order, promote stability, safety and security, support full and effective implementation of Council resolution 1244 (1999) and fully cooperate with the United Nations Interim Administration Mission in Kosovo (UNMIK) to this end. I can attest to his intelligent determination, good judgement and generous humanism — qualities that ensured our trip was exhaustive and our findings intellectually rigorous and just. Ambassador Chowdhury honoured the Security Council. For that I thank him warmly.

(*spoke in French*)

Today's meeting is a critical aspect of the Security Council's mission to Kosovo, for the findings contained in the report make clear that both the broader United Nations membership and the Security Council itself must be attentive to the achievements in the field and play an active role in supporting the efforts of UNMIK and the Kosovo Force (KFOR). This requires us to support the mission in terms of ideas, messages and, above all, resources.

Having participated in the mission and in the drafting of the report that Ambassador Chowdhury presented, my delegation agrees without reservation with the findings and observations contained in the section entitled "Findings of the Mission". There is little we can add to the report, but there are four areas that we would like briefly to highlight concerning our responsibilities as members of the Security Council and the United Nations.

First is the security situation. There is no question that the success of UNMIK and the full implementation of Security Council resolution 1244 (1999) depend first on ensuring human security for all residents of Kosovo. This is our priority task.

As the report outlines, adequate social, economic and, most importantly, physical security is crucial to building a functioning and pluralistic society. We can assist efforts to stabilize the situation and progressively improve human security in Kosovo in a number of ways: by sending, as did the mission, clear messages to the local communities that violence will not be tolerated by the international community; by providing UNMIK with the civilian police resources it requires to ensure personal safety and social order; and by supporting locally, at the community level, social and economic reconstruction efforts in order to restore the fabric of normal life after the devastation and violence that the Government of Belgrade so brutally wrought.

Second is the question of missing and detained persons. Those of us on the mission could not fail to note the importance of this issue for the thousands of Kosovars who await news each day — many of whom have been waiting for over a year — of missing family members who have simply disappeared from their lives. The hope of these people is that their missing family members are detained; the fear, however, is that they are lying in one of the many mass graves that have yet to be exhumed. We have to act on this issue, and we can do so in different ways. We can support the efforts of the International Criminal Tribunal for the Former Yugoslavia in Kosovo. The need for forensic work is immense. Under a recently signed agreement, Canada will provide 21 forensic experts over the coming months to assist in the Tribunal's investigation of war crimes in Kosovo. They will be part of an international effort that will examine more than 300 suspected mass graves. Also, the Security Council needs to consider appointing a

special envoy for detainees and missing persons, a concept supported by both Serbian and Albanian representatives with whom we met. Such an envoy would bring attention and political will to an issue that requires both. In the view of my delegation, this issue is an essential part of the process of the full implementation of resolution 1244 (1999) and is crucial to the stabilization and reconciliation efforts in Kosovo.

A third issue we would like to mention is that of the return of refugees. Ensuring the successful return of refugees who were forced from their homes last year requires many of the improvements in the social, economic and physical security we have already mentioned. But countries of origin also have the responsibility to ensure that UNMIK is aware of expected flows of refugees back to Kosovo and that it is capable of handling their reintegration into society. We must facilitate and not make more difficult this important development. Ultimately, and by definition, refugee returns are a positive sign that UNMIK is building a society to which people want to return to live. We want to arrive at a point where Kosovar residents of all ethnicities who were expelled or left due to physical intimidation or insecurity can return to their homes.

Lastly, there is a more fundamental issue for which the Security Council has absolute responsibility — the active support of this body for the work of the United Nations in Kosovo. The United Nations Mission in Kosovo is not perfect; and while we have the right to offer constructive suggestions on ways to improve it, we also have the responsibility to ensure that it is properly staffed and financed. Judging from what I witnessed during the Security Council mission, UNMIK is doing excellent work under the strong leadership of Mr. Kouchner. Everywhere the mission went to meet with local communities, including both Serbs and Albanians, often torn apart by hatred, pain and fear — everywhere — Mr. Kouchner was received warmly by the population, as a friend. The Special Representative of the Secretary-General should be congratulated for fostering such trust and confidence with all ethnic communities, and he should be supported by those of us who value the implementation of resolution 1244 (1999).

Let us be absolutely clear: the success of the United Nations Mission in Kosovo depends on the resolute engagement of each and every member of the Council and the Organization. We here dictate to a large extent how well UNMIK can do its job — by the provision of financial and personnel resources, by the moral and legal leadership this Council provides and by sending a consistent message that supports, rather than undermines, the efforts of UNMIK and the Kosovo Force to bring about a society in Kosovo that can function in accordance with the principles of the United Nations.

Mr. Lavrov (Russian Federation) (*spoke in Russian*): I, too, would like first of all to associate myself with the words of gratitude addressed to Ambassador Chowdhury, who so skilfully and steadfastly guided our mission. Like all our colleagues participating in that mission, we concur with the findings in the report and, on the whole, we consider that the report reflects in a balanced and open way the current situation regarding the implementation of Security Council resolution 1244 (1999). The only exception to that is paragraph 36, the last paragraph of the report, which was agreed by us in Pristina in another form. I will now read out the wording that was agreed:

> "The Mission wishes to express deep gratitude to Mr. Kouchner, Special Representative of the Secretary-General and Head of UNMIK, to General Ortuño, Commander of KFOR, and to their staffs for their assistance and support."

That is the entire text of paragraph 36 as it was agreed by all members of the mission in Pristina. Apparently, the editors here in New York have tried to improve it in some way, but the text that we now find in the official document does not reflect the agreed position of the mission. We greatly appreciate the efforts being made by the United Nations Interim Administration Mission in Kosovo (UNMIK) and the Kosovo Force (KFOR) and their entire staffs, under the most difficult conditions, to promote a full and comprehensive implementation of Council resolution 1244 (1999). The mission report indicates the positive results that have been reached in some areas.

However, the purpose of our mission was to see how resolution 1244 (1999) was being implemented, and, clearly, in so doing, while recognizing the positive elements, we did identify the problems that persist. Therefore, as we consider the report today and we think about how the Security Council might activate the process of implementing resolution 1244 (1999), I find it absolutely necessary to focus first and foremost on the problems and shortcomings. In that regard, I would like, as Ambassador Duval has done, immediately to address the security problem. All the minority representatives with whom we met in Kosovo said with one voice that

they do not feel safe, that they do not have freedom of movement, and that they experience discrimination in employment, access to health care and in a number of other areas. Those minorities also noted that they can carry out a dialogue among themselves but that as soon as it comes to a dialogue with representatives of the majority, then serious difficulties crop up immediately. That finding is reflected in the mission's report.

Terrorist acts continue. Churches are bombed, and there are instances of killing. In this connection we must of course be very cautious vis-à-vis the statistics that the UNMIK command provides regarding the stark drop in the level of crime in Kosovo. The United Nations Police Commissioner, Mr. Sven Frederickson, recognized that the drop in the level of crime can to a large extent be explained by the reduction in the number of representatives of minorities in the main areas of settlement.

Of course, we could all become convinced that Pristina is beginning to look like a living city, and efforts are being made there to return to normalcy, establish an infrastructure, and so on. But the question is: who can live normally in that city? There are practically no Serbs left there, just as there are practically no Serbs in Prizren, Gnjilane and Peć. For all intents and purposes, those towns were subjected to ethnic cleansing, and now they are in essence ethnically cleansed.

Of great significance for that situation is the problem around Mitrovica. We are wholly in favour of Mitrovica becoming an integrated and multi-ethnic city. However, I myself did not hear an answer to the question of whether there will be a repetition in Mitrovica of the sad experience that occurred in Pristina, Peć, Gnjilane and Prizren when, under the slogan of a "multi-ethnic city", the minorities were in fact expelled.

I also wish to point out that in assessing the statistics in terms of the drop in crime we must bear in mind that the number of such crimes as arson and abduction is not going down. Since the deployment of the international presence in Kosovo, 900 persons have been abducted and, as we have been told, the results of the investigations of those crimes are still not known. Instances of arson, which number 10 per day, also attest to the fact that this is not a simple crime, but one aimed at intimidating, with a clear political overtone. It is therefore clear to our delegation that UNMIK and KFOR cannot, for the time being, guarantee security for all in Kosovo, as provided for in resolution 1244 (1999).

Of particular concern is the fact that representatives of the international presence are subjected to attack. For the time being, we find no way of punishing those who are guilty of that. I can recall that the murderer of a Russian staff member of UNMIK escaped from jail four times. At the moment, we do not know whether or not he has been arrested for a fifth time. The international presence also does not enjoy full freedom of movement in Kosovo. At any rate, this applies to the Russian contingent, which has not been able to deploy in the area of Orahovac. This is a serious infringement of the international presence.

We also noted the importance of the problem of controlling the activities of the Kosovo Protection Corps. Unfortunately, in spite of our requests, when we were in Kosovo we were not shown the report that was prepared by the UNMIK human rights group on the activities of the Kosovo Protection Corps. We hope that is not a secret report and that the Secretariat will be presenting it to us for consideration.

We continue to be convinced that the Kosovo Liberation Army (KLA) has not been fully disarmed. There is an enormous amount of weaponry in Kosovo. In that connection, monitoring the borders in accordance with resolution 1160 (1998), for the purpose of compliance with the arms embargo, is a priority task. We hope that the request that the mission members made regarding the need for more detailed information to the Security Council on compliance with the arms embargo will be met.

Given the lack of proper security, the problem of the return of internally displaced persons is not being resolved. According to various assessments there are many such people — between 200,000 and 300,000. Unfortunately, our question about when UNMIK will be prepared to implement that provision of resolution 1244 (1999) is one to which we did not receive a satisfactory reply. It was explained to us that conditions are not yet ripe for such a return, but we did not see that there was even a general concept of a return of displaced persons to Kosovo. I think this is a serious omission on the part of the UNMIK command.

While the return of Serbs and other minorities to Kosovo may be slowed by the lack of measures on the part of UNMIK to prepare the necessary conditions for that return, the return of Albanians from Western Europe is taking place on a regular basis. In our talks a concern was expressed that among those Kosovo Albanian

returnees there are many people who had been arrested in Western European countries for the commission of crimes who were then actually sent back to Kosovo. That process has to be followed very, very closely.

Nor did we receive a reply to our question regarding how many people who had not resided in Kosovo in the past came to Kosovo after the deployment of the international presence. It is essential to give greater attention to that question. It is no coincidence that the Security Council mission's report calls for a very thorough approach to the beginning of registration so as to prevent any further artificial disruption of the demographic balance, which has already been disrupted very seriously.

We also did not receive a reply to the question about the situation regarding the use of the territory of Kosovo for drug trafficking. The UNMIK leadership told us that that problem did not exist. However, we, and I am sure many other colleagues, are familiar with the information provided by non-governmental organizations according to which about 40 per cent of all heroin used in Western Europe travels through Kosovo.

In addressing the situation in Kosovo and the problem of the return of internally displaced persons and refugees there, we must bear in mind also that, on the basis of our observation, a pessimistic frame of mind prevails among the minorities in Kosovo. If the situation in the security sphere does not improve radically by the summer, many members of minorities intend to leave Kosovo in order to find some normal and tranquil place to live before the beginning of the school year. Therefore, the task of bringing about a radical change in the security situation is a priority, both for KFOR and the international police, which must be beefed up to the authorized level. That is also a task for the Kosovo Police Service, which is now being trained, and I am sure that here as well we must urgently resolve the question of the return of the Yugoslav police to Kosovo in the numbers agreed earlier.

Another problem that causes us concern is the implementation of the provisions of resolution 1244 (1999) that are connected with respect for the sovereignty and territorial integrity of the Federal Republic of Yugoslavia. Paragraph 10 of that resolution states that the international civil presence in Kosovo is established with a view to provide an interim administration for Kosovo under which the people of Kosovo may enjoy substantial autonomy within the framework of the Federal Republic of Yugoslavia.

In other words, everything that UNMIK is now doing must correspond to that provision of the resolution and must ensure the functioning of Kosovo with substantial autonomy within the Federal Republic of Yugoslavia. At present, that is not happening. We hope that the situation will change after the creation of the joint committee, and we think that this proposal, put forward by the UNMIK leadership and supported by the authorities of the Federal Republic of Yugoslavia, is very useful.

The mission noted this in the report, and we expect that in a very short time the joint committee will be set up and will begin its real work on resolving specific tasks. In that work, doubtless, we must take account of the negative experience of the past, when all of UNMIK's activities in administering Kosovo were not agreed with the official representatives of the Federal Republic of Yugoslavia. We have referred to these facts on numerous occasions: taxation, licence plates for automobiles and the release of identity documents. We reiterate that, in the past, UNMIK issued birth certificates in which citizenship was indicated as Kosovar. We have been raising this question for a long time in the Security Council, and so far no one has been able to deny that fact. We note that since that time UNMIK has stopped issuing such birth certificates, but we would call upon the UNMIK and Secretariat leadership not to allow such violations of the sovereignty of the Federal Republic of Yugoslavia in the future and to resolve all issues related to the functioning of this province of the Federal Republic of Yugoslavia in consultation with the Belgrade authorities.

This is of particular significance for a problem such as that of property ownership in Kosovo. We have heard that UNMIK is preparing some kind of book on privatization and, again, is doing so without consultation with the Federal Republic of Yugoslavia authorities. Matters of property ownership are very dangerous and may have an adverse impact on the situation in Kosovo, including the efforts for a political settlement, as is noted in the Mission's report.

Therefore, we would strongly request that all the plans that are being made in UNMIK regarding privatization should not be kept secret from the Security Council. We also note the problem, directly connected with the sovereignty of the Federal Republic of Yugoslavia, of establishing foreign offices or missions in Kosovo. We would like to obtain information about the basis on which such offices are established. At any rate,

as far as we know, no one has seen any regulations on that matter. We hope that the Secretariat will be providing us with that information in our future work.

I referred earlier to the problem of the return of the agreed contingents of the Yugoslav Army and police, which has not been resolved. The political process to determine the future political status of Kosovo is being delayed.

We are mentioning this for one simple reason: all of these matters are mentioned in resolution 1244 (1999). It is clear that this resolution is far from being implemented. It is equally clear that we need to pay these problems particular attention in our further efforts to implement this resolution.

Today a great deal of attention has been paid to the question of missing persons. As Ambassador Chowdhury and Ambassador Duval pointed out, representatives of the Kosovo Albanians and of the Kosovo Serbs and the official representative of the Government of the Federal Republic of Yugoslavia brought this problem to the attention of the mission. It goes without saying that this is a serious, painful and sensitive problem. However, we are convinced that the key to solving this problem, as well as to resolving many other issues regarding Kosovo, is finally establishing normal working relations with Belgrade.

We all know that the authorities of the Federal Republic of Yugoslavia have not rejected cooperation as a means of resolving these problems. At the same time, they want the fate of many thousands of Serbs who are among the missing in Kosovo to be clarified. As regards the readiness of the Belgrade authorities to cooperate, we know that they have received representatives of the International Committee of the Red Cross and the Special Rapporteur of the Commission on Human Rights, Mr. Jiri Dienstbier, and they are ready for further contacts. We also know that the representative of the Office of the United Nations High Commissioner for Refugees in Pristina regularly visits Belgrade, and we think that if UNMIK is seriously interested in resolving this missing-persons problem, it should work more actively on it in its contacts with representatives of the Federal Republic of Yugoslavia.

Two last questions, one of which concerns the lack of an agreement regarding the status of the international presence in Kosovo. We have raised this question before. We also touched upon it in the course of our talks with representatives of UNMIK and KFOR in Pristina, and they tell us that this question will be resolved without involving Belgrade; it will be resolved by UNMIK and KFOR finalizing a joint declaration. We find such an approach inappropriate. We call once again for the establishment of a normal agreement on the status of KFOR and UNMIK with the leaders of the host country.

In the course of the briefing given by the representatives of the humanitarian component in Kosovo we also heard that the problem of the return of displaced persons and refugees and the overall problem of returning to normalcy is being impeded by the large number of landmines in Kosovo. As of this date there are 3,000 anti-personnel landmines and 3,400 anti-tank mines in Kosovo, as well as a great deal of unexploded ordnance, including 3,000 cluster bombs. This is a very serious problem, which, it goes without saying, must be addressed.

There is also a problem connected to the use in Kosovo, in the course of the military actions by the North Atlantic Treaty Organization (NATO), of weapons containing depleted uranium. We know that the United Nations Environment Programme and the United Nations Centre for Human Settlements (HABITAT) set up a special panel that dealt with the environmental impacts of NATO's military action in Kosovo, and we know that its findings are very alarming. We would like that panel to continue its work so that the Security Council could be apprised of its findings. If we want to fully implement resolution 1244 (1999), we must know what the environmental situation is in those regions to which displaced persons are to return. Of course, we also need to know the situation in those regions where people are already living and are engaged in farming and other activities.

On the whole, the Security Council of course needs more and more detailed information about what is going on in Kosovo. In this connection, I must mention the recent media stories — in particular coming out of Germany — about the fact that, for some reason, a report of Finnish forensic experts who were working in Račak is being kept secret. We would like such things to be brought to the Security Council's attention, and we will be taking steps to learn about the findings of that report.

In conclusion, I would like once again to underscore that the Mission was extremely useful. It made it possible to learn about the situation in the field. It made it possible to agree upon important findings. We hope that the members of the Security Council will support those findings in their entirety, because it is important to

ensure a comprehensive approach to the implementation of resolution 1244 (1999). Our delegation will do its utmost to that end.

Mr. Levitte (France) (*spoke in French*): I, too, would like to thank Ambassador Chowdhury for presenting the report of the Security Council mission to Kosovo. Every paragraph of this report is perfect. I would also like to thank Ambassador Chowdhury for the manner in which he was able to convey the sentiments and message of the Security Council with authority and force.

At the outset, I would like to raise a procedural point that is of great importance to France. As with the 9 May meeting on Bosnia and Herzegovina, today's meeting is also being held without either the European Union States that are not members of Council or the Presidency of the European Union being able to speak. Those States have not been able to speak to the Council about Kosovo for almost a year — in fact, since the adoption of resolution 1244 (1999). There is no good reason for this. I repeat, there is no good reason for this situation, given that the European Union and its member States are by far the major contributors to Kosovo, making an overall contribution of 8 billion euros for the years 1999-2000.

The Security Council mission to Kosovo was necessary and useful. It was necessary because of the considerable stakes of the United Nations Interim Administration Mission in Kosovo (UNMIK) for the region and for the United Nations. As regards the mission's utility: it allowed for the gathering, in the field, of the opinions of UNMIK's leaders; it provided a view of the extent of the difficulties they are dealing with every day; it provided a means of gauging the full range of popular sentiment, the people's suffering as well their hopes; and, finally, it provided an opportunity to urge moderation, the renunciation of violence and cooperation with UNMIK. The French delegation would therefore like to join others in congratulating Ambassador Chowdhury once again on his leadership of the mission. We would also like to thank the Secretariat, which enabled the report to be distributed so quickly.

Many of the points made in this precise and detailed report deserve to be highlighted, and I shall come back to them later. However, it would be a pity if the necessary consideration of specific points resulted in our failure to comment on the overall picture provided by the mission: the finding that remarkable progress has been made by UNMIK in less than a year and the justified tribute paid to Mr. Kouchner, as well as the reminder that the task entrusted to the mission is enormous, that reconciliation will not be achieved overnight, that the wounds will take time to heal and that impatience is not an appropriate response in certain areas.

There is no need for me to repeat the conclusions and proposals of the mission. They were made public upon the mission's return, and everyone is familiar with them. Suffice it to say that the very positive review of UNMIK by the mission, which did not omit discussion of areas where progress still needs to be made, is consistent with our assessment.

We believe that some issues deserve special attention, and in this connection I would like to raise five points. First, the launching of the registration campaign and the preparations for the forthcoming elections will, as the report notes, require strict follow-up. The municipal elections in the autumn will probably have a strong, positive democratic impact. However, it is essential for us to be very precise and rigorous with respect to the process of preparing for the ballot and to the conditions under which it will be held. The registration has begun under favourable conditions. Clearly, as the Council mission indicated, the difficulty lies in the current refusal of the Kosovar Serbs to participate in the process. It will be essential to do everything possible at the political level, as well as to make material preparations, to bring about Serb participation. The integration of Serbs into political life in Kosovo is at stake, as are the preparations for conditions for their future within Kosovo. More generally, the participation of all the communities in Kosovo's future is at stake.

My second comment relates to the fact that, to date, thanks to the tireless efforts of the Special Representative, the Serbian officials have decided to participate as observers in meetings of the Interim Administrative Council and the Kosovo Transitional Council. This is an important development in the desired direction. The mission also noted that there has been an improvement in relations among communities at the local level, perhaps because discussions at that level have been less political and more practical in nature. Gradually, therefore, within the context of co-administration, the conditions for associating all communities in the administrative management of Kosovo, and the foundations for their coexistence, are being established. It is now necessary to reinforce this trend. The benefits of this participation must be clearly seen in an improvement in the daily lives of the minorities so as to

strengthen the position of those who made such a courageous choice.

Thirdly, the improvement in the daily life of the minorities is essential to enable not only those who wish to remain in Kosovo, but also those who wish to return and to live there on a permanent basis, to do so. This improvement in daily life can be achieved simply by allowing the minority population to move around freely and to have access to schools, medical care and administrative services. Above all, it can be achieved by strengthening security conditions and providing protection against acts of ethnic violence and criminal activities of all kinds. The situation has improved, but unfortunately the mission found that UNMIK does not have the means to establish the rule of law. Priority should be given to sending international judges and prosecutors and to ending the culture of impunity. This is a simple requirement, but it is essential. Those responsible for crimes must be prosecuted, and the right to a fair trial must be ensured.

Fourthly, lasting reconciliation will also require a proper response to the question of detainees and missing persons, as the recent demonstrations in Pristina showed. The insecurity felt by families encourages mistrust and a desire for revenge. We therefore endorse the idea of appointing a special envoy for missing and detained persons, and coordination with the International Committee of the Red Cross will clearly be necessary in this regard. It goes without saying that the mandate of the special envoy should relate to missing and detained persons from all communities.

My fifth and final point is that relaunching economic activities and providing families with the prospect of finding work and returning to normal living conditions can have a pacifying effect. Many businesses have already started up again, and UNMIK has already done a great deal to establish the necessary framework for economic recovery and a resumption of investment. This is an aspect of the settlement that should not be neglected.

Mr. Eldon (United Kingdom): I, too, should like to thank Ambassador Chowdhury for his briefing today. I echo Ambassador Levitte's sentiment that the report is perfect in each paragraph. I also echo Ambassador Levitte's concern that it has not proved possible for some States members of the European Union with a close interest in Kosovo to express their views in this debate today.

Ambassador Chowdhury and the mission did an excellent job in Kosovo. They travelled widely, meeting representatives of all ethnic groups, and they produced an excellent report for us to study. We have looked at the report carefully and agree with its findings and recommendations.

Before commenting on the report in detail, I would like to underline its key finding. This Council set the United Nations Interim Administration Mission in Kosovo (UNMIK) an enormous challenge in resolution 1244 (1999). The mission is operating within its mandate as laid out in that resolution. Ably led by Bernard Kouchner, it has made very significant progress in circumstances that are far from ideal. There is still a long way to go, but we should all take this opportunity to put on record our thanks to Mr. Kouchner and his team for the excellent work they have done so far.

I would like to address three detailed issues raised in the report. First, the report makes clear that there is enormous public concern about the fate of those Kosovo Albanians who are detained elsewhere in the Federal Republic of Yugoslavia or have been missing since the end of the conflict last year.

The international community's efforts to make progress on this issue need to be given a higher profile. The United Kingdom therefore strongly supports the appointment of a special envoy to look into the question, in cooperation with UNMIK. The Special Representative should address the fates of all detained and missing persons, regardless of their ethnic origin.

Secondly, the mission was right to highlight the importance of reinforcing the justice system in Kosovo. For our part, the United Kingdom stands ready to offer the United Nations some candidates for posts as international judges and prosecutors in Kosovo. The Kosovo Police School is doing fine work and its multi-ethnic character should serve as a model for other institutions, not least the Kosovo Protection Corps.

Thirdly, we agree that it is crucial to manage an orderly returns process for refugees, both from the rest of the Federal Republic of Yugoslavia and from abroad. Adequate security for all returnees is essential. We welcome the establishment of the Joint Committee on Returns to coordinate this process.

We should use this meeting to make one thing crystal clear. UNMIK is not only operating effectively, but it is also doing so within the mandate set out in

resolution 1244 (1999). And that resolution, as the mission has said, is being implemented.

Mr. Cunningham (United States of America): We, too, want to join in thanking Ambassador Chowdhury, not only for his report, but also for his excellent service in guiding this important mission. We commend him and all of the members of the mission on a job well done and for helping to improve the Council's understanding of the challenges that the United Nations Interim Administration Mission in Kosovo (UNMIK) faces in Kosovo.

I also want to thank Ambassadors Levitte and Eldon for reminding us that the mission observed firsthand that significant progress has been made in the implementation of resolution 1244 (1999) in less than one year. There is lots of work to do, but there is definitely progress registered. We were also glad to see the mission's unqualified praise for Special Representative Kouchner, who has done a truly outstanding job of leading UNMIK in the most difficult of circumstances.

It was good that members of the Council were able to walk the ground and see firsthand Mr. Kouchner in action and the hard tasks and challenges that UNMIK faces. It was also good that members had a chance to see firsthand the effects of the violence and devastation inflicted by Belgrade in Kosovo and to understand more fully the problems which now exist. We hope that the visit also helps make more apparent the disingenuousness of speaking of Belgrade's interest in cooperation in support of UNMIK's mission.

As our Council colleagues witnessed firsthand, the situation in Kosovo, although improving, continues to be extremely difficult. The sustained attention and ample resources of the international community will be needed in order to implement fully resolution 1244 (1999). It is clear that UNMIK has set the right goals for the immediate future: consolidation of the rule of law and further work on the interim political framework.

There unquestionably continues to be a security gap in Kosovo. We believe that the report makes important recommendations in this regard. Additional international judges and resources for the judicial sector will help make fair trials and effective criminal prosecution the rule rather than the exception in all of Kosovo. UNMIK Police has done an impressive job of balancing its law-and-order function with its responsibility to create a local Kosovo Police Service. These efforts must be expedited. We are encouraged to see that UNMIK has added new training sites for the Kosovo Police Service and that specialized police units have finally begun to arrive. We were pleased also to see the Mission conclude that "UNMIK Police has significantly enhanced its effectiveness", in part due to close cooperation with the Kosovo Force (KFOR).

The report also lays out important further steps UNMIK and Kosovo's leaders must take in order to build a stable political foundation for the future. Kosovo must move expeditiously to the autonomous self-government called for in resolution 1244 (1999) under institutions designed to protect the interests of everyone. Municipal elections are an important first step. These elections must go ahead as scheduled this fall and we were pleased to see that the mission observed voter registration under way in Kosovo and pledge our continued support for this project.

Recent reports that members of the Serb community in Kosovo are registering for elections, against the wishes of some of their leaders, suggests that UNMIK should redouble its efforts to encourage participation by all groups in these elections.

As High Representative Petritsch noted in Tuesday's meeting on Bosnia, economic reform is also crucial. It will support those leaders in Kosovo willing to speak out against violence and to reject the politics of ethnic hatred. By clarifying the difficult issue of property ownership and adopting strong and sustainable macroeconomic policies, UNMIK will help bring prosperity to Kosovo and strengthen its own administrative structure. Economic revitalization will also help reinforce programmes aimed at promoting the return of refugees and displaced persons, an understandable priority for the Kosovar Serb community. I would note my own country's considerable efforts in this area, to which we have devoted significant resources.

Finally, we join others in underscoring the importance of resolving the problem of the detainees and missing persons. As the mission discovered, this is an emotional and sensitive issue that is blocking progress on inter-ethnic reconciliation. It needs to be addressed on an urgent basis. We have heard Special Representative Kouchner raise this issue on several occasions and we strongly support calls for a special envoy to address the issue.

Miss Durrant (Jamaica): I wish to thank you, Sir, for convening this open briefing on the mission of the

Security Council which visited Kosovo from 27 to 29 April. As a member of the mission, I wish to express my personal appreciation to Ambassador Anwarul Chowdhury for his inspired leadership of the mission as we sought to fulfil the terms of reference given to us by the Council.

Our visit served to highlight the critical role of the United Nations Interim Administration Mission in Kosovo (UNMIK) in promoting peace, reconciliation and stability and in creating viable and democratic institutions. My delegation wishes to pay tribute to the Special Representative of the Secretary-General, Mr. Bernard Kouchner, and to the men and women of UNMIK and the intergovernmental and non-governmental organizations represented throughout Kosovo for the commitment and enthusiasm which they have brought to the unique, complex and multi-purpose mission.

As the report indicates, our visit provided an opportunity not only to meet with the administering authorities, but also to engage with the representatives of all ethnic communities, to listen to their concerns and to better understand their expectations for the future. As my delegation entirely shares the findings of the mission, I will seek to highlight some issues which are of particular concern. These include the volatile security situation and the rule of law, the return of refugees and the issue of missing persons and detainees.

While there has been substantial progress, violence aimed at minority groups is extremely worrying and, if this continues, efforts to achieve peace and reconciliation will be to no avail. We encourage UNMIK and the Kosovo Force (KFOR) to continue their efforts at consultations at the community level. We welcome the high level of coordination between UNMIK and KFOR.

Despite their limited numbers, the UNMIK Police continue to do their best to provide security. Confidence, however, has to be established between the various groups. While we realize that this is an extremely difficult task, there is no alternative. The leaders of different ethnic groups must engage in dialogue and must display the requisite commitment to the process of peace and reconciliation.

I wish to highlight the need to address the critical shortage of judges, prosecutors and correctional officers. In this regard, I express appreciation to the United Kingdom for the announcement it just made. This has to be addressed if the rule of law is to prevail and an end put to the cycle of impunity. My delegation was impressed by the training given to the new police force as a demonstration of capacity-building. But the UNMIK police also need specialized units, and we hope that this matter will be addressed by member States.

My delegation believes that it is the right of all refugees and displaced persons to be able to return to their homes in safety and without fear. There has to be a structured approach that ensures reintegration and will involve close collaboration between UNMIK, the Office of the United Nations High Commissioner for Refugees and other organizations. We acknowledge the efforts of these organizations and hope that the necessary assistance and cooperation of host Governments will be forthcoming in reintegrating the refugees. We believe that the issue of returns must be dealt with in a measured and humane manner.

Tackling the issue of missing persons is one of the most fundamental factors in the reconciliation process. As was alluded to in the report, this is an issue that cuts across all ethnic groups and needs to be addressed urgently and comprehensively. My delegation therefore supports the finding in the report that the issue of the appointment of a special envoy for missing persons and detainees should be addressed urgently. We also note that the report draws attention to the work of the International Criminal Tribunal for the Former Yugoslavia and to the need for additional funds to support the work of exhumations and identification. As the report points out, for example, the Tribunal's forensic experts are hampered in their work by the lack of resources to finance DNA tests.

Another issue of concern to my delegation is the forthcoming municipal elections. We see the civil and voter registration as activities of particular importance, and we believe that all parties must feel that they have a stake in the process. It is therefore necessary to create the conditions for the participation of all ethnic groups, as they must come to feel a sense of ownership and participation in the democratic process.

I also wish to point out that many of the United Nations Volunteers are providing excellent support for the civil and registration process, and we wish to salute the work of the United Nations Volunteers. At the same time, we wish to emphasize the need for the General Assembly to urgently address the question of the staffing table, and we know that this is an issue which will be taken up by the Fifth Committee during its resumed session.

I now wish to turn to the economic situation in Kosovo. Economic recovery as a means of promoting confidence and reconciliation efforts among the people of Kosovo is another major challenge for UNMIK, because, while there have been some improvements, the overall economic picture continues to be grim. The economic situation, coupled with inadequate physical, social and economic security, further exacerbates the situation. Attracting broad-based donor support and investment is certainly one of the ways to move ahead. Unfortunately, this will be difficult if other issues, such as the question of property rights, remain unresolved.

Jamaica wishes to support the work of UNMIK in developing an interim political framework, including the creation of multi-ethnic institutions and a multi-ethnic society, that will lead to peaceful coexistence. Although this process is fraught with difficulty, we urge them to continue. This process demands the cooperation of those with a stake in the long-term development of Kosovo — namely, the people of Kosovo of all ethnic groups. Ethnic hatred and prejudice are unacceptable and will seriously undermine any attempts at creating a sustainable and peaceful Kosovo. This was the message that the mission sought to bring to the people of Kosovo, at all levels, wherever we met them. But we agree that changing attitudes is probably the most daunting task facing the United Nations and the international community in Kosovo. We need to assure the people of Kosovo that the international community will support their efforts to move from a culture of conflict to a culture of peace.

Before concluding, I wish to address the issue of Security Council resolution 1160 (1998). As Chairperson of the Security Council Committee established pursuant to Security Council resolution 1160 (1998), I wish to draw attention to paragraphs 15 and 34 of the report. These paragraphs highlight the discussions that were held with KFOR on the strengthening and monitoring of the implementation of the arms embargo imposed by resolution 1160 (1998). As the report points out, there have been improvements in the situation, and KFOR has continued its recovery of arms inside Kosovo. We wish to emphasize the need for the monthly information on KFOR's activities to be presented to the Committee, as this will greatly assist the Committee in its work.

In concluding, I wish again to pay tribute to the leader of our mission and to the other members of the mission, because I believe that this visit gave us an opportunity not only to see for ourselves but also to bring back to the Security Council our findings, and we hope that these findings will be acted on in the near future.

Mr. Hasmy (Malaysia): My delegation expresses its appreciation to you, Mr. President, for convening this open briefing to consider the report of the Security Council mission to Kosovo. It is regrettable that the Council has not been able to accommodate the requests of interested Members of the Organization to participate in the discussion of this important report. Their contributions would certainly enrich the deliberations of the Council. This open briefing on the mission's report, which in any case is already known to the larger membership of the Organization, should be more than a mere formality.

My delegation would also like to express its appreciation to Ambassador Chowdhury of Bangladesh, the leader of the mission, for his lucid introduction of the mission's report. As a member of that mission, I can attest to what has been said by others, and I wish to take this opportunity to pay a warm tribute to Ambassador Chowdhury for his outstanding leadership in the course of the mission.

Ambassador Chowdhury has already highlighted the salient parts of the report, and I do not intend to go over the same ground, other than to underscore a number of points of particular importance to my delegation. With the advantage of having visited Kosovo, my delegation now has a greater appreciation of the fact that the United Nations Interim Administration Mission in Kosovo (UNMIK) is a difficult and complex United Nations mission and that the implementation of Security Council resolution 1244 (1999) faces many enormous challenges, which will have to be overcome. These challenges are being addressed in serious fashion by Mr. Bernard Kouchner, Special Representative of the Secretary-General, whose tireless efforts for and total commitment to the full implementation of resolution 1244 (1999) deserve the highest praise. It should be noted, however, that the situation on the ground is far from ideal, which requires great political and managerial skills as well as pragmatism, which Mr. Kouchner has brought to bear in administering Kosovo on behalf of the international community as Head of UNMIK.

There has been a tremendous improvement in the security situation, thanks to the efforts of the Kosovo Force (KFOR) and UNMIK police. However, the peace and security situation is still fragile and can be put in jeopardy by the slightest inter-ethnic incident, which can

occur at any given moment — and indeed, did occur while the mission was still there on the ground. Hence the importance of the continuing stabilizing presence of KFOR and the law enforcement role of UNMIK police. Equally important is the role of the judiciary in dispensing justice in a fair and impartial manner to all of Kosovo's ethnic groups. My delegation commends the steps taken by Mr. Kouchner to strengthen the law and order situation, particularly the training of a multi-ethnic Kosovo Police Service and the strengthening of the judiciary through the recruitment of international judges and prosecutors who work alongside their Kosovar counterparts. A stable and peaceful Kosovo will depend, to a large extent, on the effectiveness and credibility of such law and order institutions. This is an area that the international community, with the capability to do so, should continue to support, and support generously.

Clearly, one of the most difficult challenges confronting UNMIK is the issue of inter-ethnic relations and the urgent need for forge inter-communal harmony based on reconciliation among the several ethnic groups in Kosovo, particularly between the majority Albanian and the minority Serb populations. Given the long history of suppression and repression of the Albanian Kosovars in the past — culminating in their forced eviction from their homeland, which is still fresh in memory — it would be unrealistic to expect a quick process of reconciliation. A considerable period of time will be required for genuine reconciliation to take effect, but the process must begin now by instituting confidence-building measures aimed at bringing about a degree of trust, tolerance and accommodation between the ethnic groups. In this context, the general apology issued by the Serb community of Orahovac and the positive response of the Kosovo Albanian community were steps in the right direction. We warmly welcome and encourage those positive developments. We earnestly hope that this trend will continue with the active encouragement of Mr. Kouchner and influential members of the international community.

Clearly, no genuine and lasting reconciliation will be possible unless and until the different communities in Kosovo can address and resolve their long-standing grievances against one another and begin to live together as a people, on the basis of the concept of unity in diversity. An important step in that process will be to address the issue of detained and missing persons, which affects both communities, but particularly the Kosovar Albanians, more than a thousand of whom are known to be in prisons in Serbia or are unaccounted for.

In this regard, my delegation strongly and wholeheartedly supports the proposal for the appointment of a special envoy for detainees and missing persons. The appointment of such an envoy has the strong support of all the different ethnic communities in Kosovo, who clearly wish to resolve the matter for the sake of those in their community who have lost loved ones and for the sake of inter-ethnic reconciliation. The early appointment of such a high-level envoy, in the same manner in which one was appointed with respect of the missing Kuwaiti and third-country nationals, would contribute positively to the final healing of the wounds of the past among the people of Kosovo. The appointment of such an envoy is the earnest and express desire of all of the people of Kosovo and should therefore be responded to positively and expeditiously by the Secretary-General, with the full support of the Council. For such an envoy to succeed in his work it is imperative for all parties concerned to extend their fullest cooperation to him. The authorities of the Federal Republic of Yugoslavia have a particular responsibility in this regard. Non-cooperation by the Federal Republic of Yugoslavia on this issue will only reveal the cynical exploitation of the issue by the Belgrade Government, and its true intentions.

The future of Kosovo will depend on the management of the current difficult situation by both the international community and the people of Kosovo themselves. The commitment of the international presence there must be matched by the equal commitment to peace and inter-ethnic harmony by the people of Kosovo themselves. In this regard, my delegation looks forward to the sustained support of the international community for UNMIK and KFOR. We also look forward to the successful conduct of the planned upcoming municipal elections in Kosovo, which will lay a viable foundation for the future. Such a future, of course, cannot fail to take into account many important, complex and sensitive factors, not the least of which is the pertinent issue of the aspiration of the majority Albanian community in Kosovo, as recognized by the Rambouillet Accords, as well as the legitimate rights of the other ethnic minorities in Kosovo. The international community must come to grips with these issues if it is to ensure the long-term solution of the Kosovo question.

UNMIK and KFOR have done much in so short a time. There are, of course, flaws and imperfections in the implementation of resolution 1244 (1999) that cannot be avoided given the complexity of its mandate. But those are being addressed by the leadership of UNMIK. What is important is for the Council and the international

community to look at the larger picture of what UNMIK is doing, rather than at specific instances of weakness and imperfection in implementation. Important as those are, we should look at them in the broader perspective.

Mr. Hamer (Netherlands): My delegation commends Ambassador Chowdhury and the other mission members on their balanced mission report. The Netherlands fully associates itself with the praise contained in their report for the work of the United Nations Interim Administration Mission in Kosovo (UNMIK) and the Kosovo Force (KFOR).

The report echoes Mr. Kouchner's call for the appointment of a special envoy for detainees and missing persons. My delegation has repeatedly expressed its grave concerns regarding this continuing tragedy, and has called for an end to the indifference to the fate of thousands of missing persons and their families. For these reasons we welcome the strong support of the different ethnic communities in Kosovo for the appointment of a special envoy to address this problem. Of course, the mandate will require some very careful drafting. Meanwhile, the Office of the United Nations High Commissioner for Refugees and others should be encouraged to give this pressing issue their particular attention. Obviously, the International Criminal Tribunal for the Former Yugoslavia also has an important role to play.

As for the present situation in Kosovo, we remain concerned at the continuing violence. Recent incidents have included violence against Russian KFOR soldiers and against moderate Kosovar Albanians. The mission was particularly useful and important in urging all communities to reject such violence and in encouraging peaceful coexistence and cooperation among them.

We are concerned also at the ongoing provocations of the Liberation Army of Presevo, Medvedja and Bujanovac (UCPNB) in the Presevo Valley area. We have noted that Mr. Thaci has called for an end to those activities, but we also note that his call has not so far had the desired effect.

Other recent developments, however, raise hopes that a break with the destructive past may be possible. The mission's report notes that all ethnic communities express the desire to live in peace together even if, due to the recent violent conflict, they are still deeply divided. There is now Serbian participation in the interim structures, even if it is so far limited to observers. And the leader of the Serbian community in Orahovac and representatives of the Roma community have apologized to the Kosovar Albanian community. The Kosovar Albanian reaction to those apologies has been constructive, as noted in the report.

Let us not underestimate the importance of these and other modest initial steps on the road to improved inter-ethnic relations in Kosovo. It is facile, and not very constructive, to note only the problems that still exist. After a decade of death and destruction wrought by Belgrade, it is in fact a small miracle that there are still people left in Kosovo who are ready to break out of this vicious circle and move forward. Those people need encouragement; they are everyday heroes; they show courage and a moral vision that deserves our undivided support.

Another hopeful development lies in the fact that preparations for elections are well under way. We can only hope that the Serbs will realize in time that it is in their own best interest to register. Elections and elected representative institutions will mean an end to undemocratic parallel structures.

Meanwhile, there are indications that public opinion is shifting in favour of moderate elements in all communities, and there is cause for optimism that the United Nations will be able to provide for adequate security. It is all the more regrettable, therefore, that Serb hard-liners and the Federal Republic of Yugoslavia continue to place obstacles in the way of the successful conduct of these elections. Successful elections form an integral part of the implementation of resolution 1244 (1999), and those who want to see that resolution successfully implemented should not stand in the way of registration and participation by all ethnic groups, including Serbs displaced outside Kosovo.

Mr. Cherif (Tunisia) (*spoke in French*): I am delighted to congratulate you, Mr. President, for convening this meeting to consider the situation in Kosovo. It is an opportunity for us to express our satisfaction for the results achieved by the Council mission. In fact, we find that the mission, thanks to the skill of Ambassador Chowdhury, whom we would like to thank, has achieved its objective by sending a very strong and clear signal to all the parties concerned. The exhaustive and useful report that has been presented today informs us about the realities of the situation in the field. It also attests to the willingness of the international community to find a just, lasting and definitive solution to this complex question in accordance with resolution 1244 (1999) of the Security Council.

We consider that the elements set out in the report encourage in-depth thinking with a view to finding new directions and the decisions to take in the future. In that connection, I would like to make the following comments.

It is indispensable to demonstrate realism and to keep in mind that, in the short time since the deployment of UNMIK on 13 June 1999, it has not been possible, despite the efforts, to fully and effectively implement the mandate of UNMIK. Time is a paramount factor to erase hatred and to respond to the expectations of the population. However, we are convinced that the achievements of UNMIK are remarkable and deserve to be commended. In that connection UNMIK should continue to be attentive to the requests and expectations of the Kosovar population.

What is highlighted in the report are numerous positive signs, such as the desire of all the communities to live together in peace. The resumption of contacts between the two communities in Mitrovica, the involvement of Serbs in mixed institutions and the improvement of relations among the communities at the local level — all these factors need to be encouraged. The approach advocated by UNMIK for the establishment of an interim administration to prime an economic recovery will no doubt achieve lasting results, especially by improving living standards and by job creation. Access by the entire population to basic social services is another factor that needs to be strengthened.

The question of detainees and missing persons is still a serious obstacle to inter-ethnic reconciliation. To that end, we think it would be appropriate for the Council to respond urgently to the requests made by the various ethnic communities for the appointment of a special envoy to investigate the situation of detainees and missing persons.

We find it necessary to remedy the culture of impunity that has been rampant in Kosovo. The strengthening of the rule of law, based on impartial and independent justice, will enable the judicial system to play its role by applying and ensuring respect for the rule of law. The return of refugees and displaced persons is a central issue. The international community must promote favourable conditions for the return of refugees and displaced persons. To do so, receiving structures should be strengthened and inter-ethnic confidence should be encouraged.

Finally, we believe that the forthcoming municipal elections will offer a good opportunity for underscoring the willingness of all parties to live together. We hope that they will become actively involved in the process.

All these priorities require financial resources that are adequate, and sustained international support.

Mr. Listre (Argentina) (*spoke in Spanish*): First of all, I feel it is necessary to note that this mission was positive and useful to assess on the ground what is really happening in Kosovo. Also, allow me to indicate that this mission could not have been successful without the efforts of its head, Ambassador Chowdhury, who, with intelligence, tireless energy, diplomatic tact, common sense and, why not say it, a sense of humour, led us in this very difficult task. His work was so excellent, as is his report as head of the delegation, that my delegation endorses it. Nor can I fail at this time to recognize the support which the mission always received from the Secretariat group so efficiently headed by Mr. Stephanides.

The mission had four objectives, mentioned in paragraph 2 of the report. I think it fulfilled them properly. We can inform the Security Council that resolution 1244 (1999) is being implemented. It has not been fully implemented yet, and it is possible that it may not be fully implemented in the immediate future because of the conditions existing in Kosovo. But it is being carried out. Specifically, it is being implemented properly, reasonably well, in accordance with the mandate contained in paragraph 11 of resolution 1244 (1999). This is the result of the commendable efforts of the international community through KFOR and through the United Nations Interim Administration Mission in Kosovo (UNMIK) in the ten months since it was established.

In this connection, I believe that the eloquent words of Ambassador Duval concerning the action of the representative of the Secretary-General, Mr. Kouchner, compounded by the so-called four pillars of UNMIK, describe the support which we received from all of the local populations, all of the communities, with regard to the work of UNMIK. Argentina is proud of having participated, even modestly, in the work of UNMIK and KFOR. These words of gratitude should also be extended to KFOR and to General Ortuño.

KFOR and UNMIK need material and human resources. They are carrying out their work in very different circumstances, and it is necessary for the

Council to pay attention to the requirements so that they can continue to carry out their work normally.

In Kosovo, the basic administrative functions are being carried out and the reconstruction of infrastructure is being done, as well as other economic reconstruction work. The law and public order are being maintained, human rights are protected and promoted, and the refugees are being encouraged to return. The administration of justice is being organized. A multi-ethnic police is being trained and taught to respect human rights. All of this in an imperfect framework, replete with difficulties and very serious economic and social problems and a high degree of unemployment.

In this framework, the mandate for organizing and supervising the development of provisional institutions for the democratic and autonomous self-government is being carried out, including the holding of elections as established by resolution 1244 (1999). Within this process, administrative functions will be transferred to the authorities elected by the people in the forthcoming municipal elections to be held on 8 October. It is our fervent desire that the Serbian community participate in these elections. We understand the causes of insecurity which they invoke to feel fear and not to register, but we have no doubt that UNMIK, and in particular the work that Mr. Kouchner is carrying out, will tend to prevent situations which justify this legitimate and explainable fear of the Serb community.

As our report says, the insufficient physical, economic and social security is a cause of grave concern, and progress towards peaceful coexistence continues to be fragile.

There are three serious problems in this very serious and fragile situation: first, the continued inter-ethnic violence; secondly, the question of missing persons and detainees and thirdly, the return of refugees and internally displaced persons. These three questions feed one another. Violence makes the return of refugees and displaced persons more difficult. The failure to clear up the matter of people who have disappeared or been detained increases resentment which, in turns, incites violence. It is essential to halt the vicious cycle of hatred and resentment and try to set out on the long road to reconciliation.

I do not believe this will be possible if we do not clear up the matter of the problem of people who have disappeared or been detained. In this connection, my delegation supports the designation of a special envoy to deal with this issue. I believe this needs to be done urgently. We hope that once such a person has been named, he will have the support of the Federal Republic of Yugoslavia in carrying out his task.

The future of Kosovo, over and above what is spelled out in the resolutions, depends on the spirit with which the population implements them. We need to encourage the spirit of reconciliation, without which the necessary conditions for substantial autonomy within the Federal Republic of Yugoslavia cannot be created, as set forth in resolution 1244 (1999). In Kosovo UNMIK is seeking to develop its own institutions for a state of law and democracy. Given democracy and freedom it would be possible to create a legal framework for substantial autonomy. However, this will be difficult, if not impossible, if that fragile autonomous entity must exist as part of a larger totalitarian or authoritarian entity.

Mr. Andjaba (Namibia): We, too, thank you, Sir, for convening this meeting and welcome the comprehensive report of the Security Council mission on the implementation of resolution 1244 (1999) in Kosovo, Federal Republic of Yugoslavia. May I also acknowledge and congratulate Ambassador Anwarul Chowdhury and all my colleagues who were able to find time to undertake the Mission to Kosovo on our behalf.

First, my delegation wishes to express its appreciation that the Security Council enthusiastically accepted the invitation of the Special Representative, Mr. Kouchner, to visit Kosovo, not only to ascertain the facts on the ground but also to bring the Security Council members closer to the people we serve — in this case, the people of Kosovo.

Secondly, we observe with satisfaction that the Council found this opportunity to share the findings of our mission to Kosovo with the larger membership of the United Nations family. This formula, if replicated, will definitely augur well for us in the days ahead. It is unfortunate that we could not extend meaningful participation to all the Member States that wanted to make a presentation.

My delegation believes that for the full and effective implementation of Security Council resolution 1244 (1999), the international community ought to support the efforts by the United Nations Interim Administration Mission in Kosovo (UNMIK) and the Kosovo Force (KFOR) in a sustainable manner and at the same time

continue to encourage the ethnic communities in Kosovo to actively participate in the process.

On a daily basis, UNMIK and KFOR have been facing the Herculean task of providing adequate physical security, freedom of movement, particularly for the ethnic minorities, and access to education and health care, as well as of guaranteeing the return of refugees and internally displaced persons, as indicated in paragraph 24 of the report. In the light of the task at hand and in view of the forthcoming municipal elections, this is a critical juncture for contributions to UNMIK.

We welcome the participation of Serbs as observers in the following bodies: the Joint Interim Administrative Structures, the Kosovo Transitional Council and the Interim Administrative Council. My delegation hopes that soon the Serbs will upgrade their participation in these institutions. In this context, we encourage the Bosniac and Roma representatives to join the Transitional Council.

Paragraph 23 of the report also indicates that, in Kosovo, "All ethnic communities expressed a desire to live in peace together". If that is the case, the international community should be able to assist them in moving towards peaceful coexistence in spite of the recent violence. Furthermore, it is exhilarating for us to learn that positive relations between communities still exist at the local level, as demonstrated through the renewal of contacts between leaders of the Albanian and Serb communities in Mitrovica. Therefore, we hope and pray that these contacts will continue and at the end of the day provide an opportunity for confidence-building and reconciliation. It is these efforts that the international community must support and nurture.

Namibia concurs with members of the Security Council mission that the process of reconciliation, rebuilding and resettlement is a protracted one, but it is a process worth engaging in, and we are confident that the foundation derived from the work by the international community will continue to provide the people of Kosovo with the necessary ingredients to reorganize their lives.

In conclusion, let me express my delegation's appreciation and thanks to UNMIK, KFOR and other international humanitarian institutions who are carrying out their work under challenging circumstances.

Mr. Ag Oumar (Mali) (*spoke in French*): I would like to associate myself with previous speakers in thanking you, Mr. President, for organizing this meeting on the situation in Kosovo, in order to consider the report of the Security Council mission that went to the Federal Republic of Yugoslavia in response to Mr. Kouchner's invitation to go and view the situation on the ground. The mission made it possible not only to observe the developments in the situation in Kosovo, but also to transmit the message of the Council to all those concerned. I also wish to thank Mr. Chowdhury for transmitting this message to its audience and for introducing the report, which my delegation greatly appreciates.

The findings made by the mission on the ground are significant, and provide an opportunity for my delegation to make the following comments. The ethnic communities told the mission of their desire to live in peace together, but they remain deeply divided, and the wounds will take time to heal. My delegation therefore hopes that the United Nations Interim Administration Mission in Kosovo (UNMIK) will become more involved in restoring confidence among the ethnic communities. We believe this is an essential aspect of UNMIK's mandate.

Despite the continuing improvement in the general situation with regard to violence and crime, attacks against minorities are still taking place and this requires ongoing special protective measures to be taken. In this respect, my delegation believes that it is important to speed up the training of police officers. The precarious nature of the material, social and economic security situation is cause for concern and constitutes a major obstacle to the reintegration of the ethnic minorities into public life, and also impedes the return of displaced persons, mainly Serbs and Roma people.

The reciprocal general apologies made by the Serb and Albanian communities are an important sign on the path towards reconciliation and participation in the future development of the community. However, the state of progress on the path towards peaceful coexistence remains fragile. In this connection, the mission noted the firm support expressed by the ethnic communities for the appointment of a special envoy for detainees and missing persons, which my delegation firmly supports.

To remedy the culture of impunity, which is undermining the foundation of the judicial system, there is a need for the recruitment of international judges and prosecutors, as well as for considerable voluntary assistance, in the form of personnel as well as material resources, so that UNMIK can enhance the efficiency of the judicial apparatus in Kosovo. As I said earlier, it is

imperative that UNMIK speed up its training programmes to cope with the lack of police resources.

With regard to the forthcoming municipal consultations, efforts should be made by UNMIK and the Kosovo Force (KFOR), with the firm support of the international community, to encourage the participation of Serbs, including those who were displaced from Kosovo, to create conditions to that end and also to encourage contacts such as those that the leaders of the two communities have undertaken in Mitrovica with respect to community programmes.

My delegation supports all of the proposals of the mission directed at improving the strategic approaches of UNMIK in carrying out its mandate, including encouraging economic recovery through confidence-building measures and reconciliation at the local level and UNMIK's setting of priorities for economic investment so as to ensure that the available funds are used as effectively as possible. My delegation supports the mission in its belief that in the case of the implementation of resolution 1160 (1998), KFOR should communicate all information on its activities to the Committee established by that Security Council resolution in order to preserve the transparency advocated by the Security Council.

In conclusion, my delegation believes that, as UNMIK has been deployed for less than a year, we must be realistic. We need time to bring about reconciliation among communities that have just emerged from conflict. The international community must be patient and persist in its efforts. UNMIK and KFOR have made remarkable progress in carrying out their mandates, and my delegation congratulates them for their efforts, often undertaken in difficult circumstances. The task is enormous, and the continuation of efforts to ensure the complete implementation of resolution 1244 (1999) remains the absolute priority of the Security Council. Finally, my delegation wishes to pay tribute to the Security Council mission for its detailed report, which responds to many of the questions Member States have been asking themselves in the search for a solution to the problem of the Balkans in general and to Kosovo in particular.

Mr. Yel'chenko (Ukraine): As one of the members of the Security Council mission to Kosovo, I would like, at the outset, to thank Ambassador Chowdhury of Bangladesh for his excellent leadership, which greatly contributed to achieving the goals of the mission. Let me also convey my appreciation to the Special Representative of the Secretary-General, Mr. Bernard Kouchner, and to all the staff of the United Nations Interim Administration Mission in Kosovo (UNMIK), the United Nations Secretariat and the Kosovo Force (KFOR), as well as to the Government of Italy, all of which greatly assisted in making the visit a success.

In my view, the mission to Kosovo was an important undertaking in view of both its timeliness and its mandate. The visit took place at the right time, as it was carried out just some six weeks before the end of an initial 12-month authorized period of international civil and security presences in Kosovo.

As regards its mandate, the Security Council delegation managed to do a great deal. It observed the activities of UNMIK, gained information at first hand about the situation on the ground and conveyed a strong message to all concerned about the need to reject violence and effectively implement resolution 1244 (1999) in full cooperation with UNMIK. It also discussed with the KFOR Commander the important issue of how to strengthen the monitoring of the implementation of the arms embargo.

Against this background, we feel that the mandate of the mission was successfully accomplished. Now, it will be essential for the Security Council to build on those findings and conclusions in order to define its further steps towards implementing resolution 1244 (1999) and supporting UNMIK.

With this in mind, I would like to make the following observations. First of all, it is necessary to pay tribute to the UNMIK and KFOR personnel for their courage and professionalism in discharging their duties under extremely difficult conditions. The progress achieved by all four pillars of UNMIK in their areas of responsibility over the past 10 months, in particular in establishing the interim administrative structures, providing humanitarian assistance and setting up a judicial system, should be welcomed.

We consider encouraging and promising the positive signs of the implementation of the agenda for coexistence and the culture of peace. These can be seen in emerging cooperation between the two major ethnic communities in Mitrovica and Orahovac, as well as in the participation of the Serbs in the Kosovo Transitional Council and the Interim Administrative Council.

At the same time, however, having noticed some positive trends towards the return of normalcy, my

delegation remains concerned about the overall security situation, first and foremost as it relates to the protection of ethnic minorities and their human rights. Although the crime rate in the province has gone down, it remains high.

It is absolutely clear that, unless the proper security of the national minorities is ensured and their basic human rights are properly protected, they will continue to be subject to violence and thus to feel insecure about returning to Kosovo. Undoubtedly, all necessary additional security arrangements should be undertaken on the part of UNMIK and KFOR to reverse this situation.

It seems obvious to us that, after having helped hundreds of thousands of Albanians to return to the province last year, the international community should ensure the safe return from Serbia of about 200,000 non-Albanians of Kosovo. In this connection, we welcome the recent establishment of a Joint Committee on Returns to coordinate these issues.

Given the urgent need to enhance the security situation in the province, as well as to assist UNMIK Police in meeting pressing requirements for specialized units, the Ukrainian Government is prepared to send a specialized police unit of 110 members to Kosovo. In the same context, I should also like to inform the Council that the preparation of the joint Polish-Ukrainian peacekeeping battalion earmarked for the KFOR operation is under way.

Now, I should like to address another issue that I believe has become the most sensitive for the members of our mission to Kosovo. Here, I refer to the problem of missing persons and detainees. I have no doubt that all of us were deeply moved by the meetings in Djakovica and other places, during which the Albanian representatives highlighted this problem to us as a major impediment to reconciliation. At the same time, most impressive was also the information on missing persons provided by Bishop Artemje and other members of the Serb National Council at Gracanica, as well as by the Yugoslav representatives at the meeting with the Federal Republic of Yugoslavia Committee for Cooperation with UNMIK.

In this regard, my delegation wishes to place on record its support for the recommendation to appoint a special envoy of the Secretary-General on missing persons in Kosovo, assigned to learn the fate of missing Albanians and non-Albanians alike during the events of 1999-2000 and to negotiate this matter with the Yugoslav authorities or any other Government. At the same time, we are aware of the fact that the creation of this post will bring no results unless it is supported by the Federal Republic of Yugoslavia. This support is, in our view, preconditioned on the full implementation of all provisions of resolution 1244 (1999), in full respect for the sovereignty and territorial integrity of the Federal Republic of Yugoslavia.

As indicated in paragraph 16 of the report, the Security Council's mission witnessed the initial phase of the registration process in the UNMIK-Organization for Security and Cooperation (OSCE) in Europe centre at Dobrecani in the Gnjilane region. While welcoming the start of this campaign, we cannot but be concerned with the well-understood reluctance or refusal of Serbs to participate in it, due to inadequate security conditions and lack of progress in the return of Serb internally displaced persons. Needless to say, everything should be done to ensure participation in civil registration and in the municipal elections of all Kosovo inhabitants, be they currently in or outside the province. Cooperation between the UNMIK-OSCE component and the Yugoslav authorities in this respect is absolutely vital. It is also obvious that the deprival of the right of numerous Kosovo inhabitants outside the province to be part of that campaign might give grounds for a challenge to the legitimacy of its final results.

We were indeed glad to learn from UNMIK that some Ukrainian non-governmental organizations, upon invitation from the OSCE pillar, were helpful in facilitating the process of registration and in evaluating access to civil and voter registration for minority inhabitants of Kosovo.

Now, let me pose a crucial question which all of us, members and non-members of the Security Council alike, may want to address. I do not expect, of course, an immediate answer to the question. How do we see the future status of Kosovo? Do we really want this dubious status quo maintained indefinitely? Are we ready to answer the question: What does substantial autonomy mean? As far as my delegation is concerned, it would be impossible to tackle this issue without the real direct engagement of the parties: the Federal Republic of Yugoslavia and the Albanians of Kosovo. Any decision, however attractive it might look to the international community, will not be workable unless it is directly negotiated and implemented by the parties themselves. With all respect for the efforts of Mr. Kouchner and other major international actors, I do not think that the final decision can be imposed on the parties to the conflict in Kosovo.

I wish to make one final point of a general character. The reconstruction efforts in the region as a whole should be cohesive and not used as a means of political pressure.

In conclusion, let me say that, as the practice of sending Security Council fact-finding missions to zones of conflict has proven its effectiveness and usefulness — and I want also to mention here the missions to the Democratic Republic of the Congo and to Ethiopia and Eritrea — we should utilize this practice more frequently.

Mr. Chowdhury (Bangladesh): Speaking as the representative of Bangladesh, I should like briefly to highlight the following four points.

First, as to the security situation, its improvement in Kosovo calls for the urgent deployment of civilian police personnel in their approved strength. We also believe that a major component in the improvement of the situation is stimulating economic activities and reconstruction. When a large majority of people is busy in economic pursuit, the security situation will improve concomitantly. We also believe that community-based programmes in various parts of Kosovo need to be undertaken extensively to achieve the same objective.

Secondly, as to missing and detained persons, Bangladesh supported the proposal for appointing a special envoy for all missing persons and detainees when the implementation of resolution 1244 (1999) was discussed in the Council on 6 March. Now, having personally seen during our mission in Kosovo the agony of hundreds of families, we reiterate our very strong support for the appointment of a special envoy as soon as possible. A speedy resolution of this important issue is needed for the improvement of mutual trust and for confidence-building among the ethnic communities. We strongly feel that this appointment will greatly contribute to the effective implementation of resolution 1244 (1999).

Thirdly, as to the return of refugees and internally displaced persons, the improvement of their situation and their return hinge upon the perception of an improvement in the general security situation, a well-functioning judiciary and the settlement of property issues. This is a major undertaking of the United Nations Interim Administration Mission in Kosovo (UNMIK) and a very important one. We are particularly appreciative of the committed role of the Office of the United Nations High Commissioner for Refugees in this regard. We believe that the matter should receive the Council's close monitoring.

Finally and fourthly, as to the culture of peace, Bangladesh strongly believes that the foundations of a sustainable peace and reconciliation in Kosovo are to be laid by promoting a culture of peace among all, particularly among the younger generations. Peace education programmes need to be undertaken widely through the involvement of civil society.

Let me conclude by thanking all my colleagues for their gracious and kind words addressed to me in their interventions this morning.

The President (*spoke in Chinese*): I shall now make a statement in my capacity as the representative of China.

I have noticed that, in their statements, some representatives expressed regret at the fact that certain countries concerned cannot speak in our debate. I share that regret. Among those countries that cannot speak here is the Federal Republic of Yugoslavia. As the country with sovereignty over Kosovo, the Federal Republic of Yugoslavia is a party concerned in the question under our consideration today. The fact that some countries, including the Federal Republic of Yugoslavia, cannot speak in our debate represents an abnormal situation that I hope can be rectified in the future.

The Chinese delegation thanks the Security Council mission to Kosovo, Federal Republic of Yugoslavia, for its report. Under the outstanding leadership of Ambassador Chowdhury, the mission has carried out intense, diligent and effective work. It has, among other things, obtained firsthand information through on-site investigations and submitted the report in a most expeditious manner. We would like to pay tribute to Ambassador Chowdhury and other members of the Council mission for their efforts in this regard.

The Kosovo Force (KFOR) and the United Nations Interim Administration Mission in Kosovo (UNMIK) have been deployed in Kosovo for almost a year. It is highly necessary that the situation in Kosovo be viewed comprehensively. As the report points out, Mr. Bernard Kouchner, Special Representative of the Secretary-General, UNMIK and KFOR have made great efforts under difficult circumstances to implement their mandates. We appreciate their dedication and hard work.

According to the report, and according to resolution 1244 (1999), "The full and effective implementation of the Security Council's mandate requires the sustained effort by UNMIK and KFOR". Here, the Chinese

delegation wishes to comment on a number of questions relevant to the report and the situation in Kosovo.

First, the security situation in Kosovo is still very worrying, especially the physical security situation of Serbs and other minorities. According to some reports, since last June more than 200,000 Serbs and people of other minorities have fled the area and more than 4,000 incidents of violence have taken place. While some of these incidents were anti-Albanian, most were against Serbs and other minorities. Due to the absence of the sense of safety, and given the situation of the Serbs and other minorities, there still exist enormous difficulties in the way of the return of internally displaced persons and refugees from third countries, although UNMIK has emphasized it as a priority. In Pristina, where 40,000 Serbs and Montenegrins once lived, there are now fewer than 100 Serbs. This is indeed a very grave situation.

Secondly, since Serbs and people of other minority groups are not able to return normally to their homes in Kosovo, it is impossible for them to integrate into the society. Without this integration, the strengthening of the multi-ethnic interim administration is out of the question. As the report rightly points out:

> "Efforts to promote cooperation and interface between ethnic communities at the local level, including the establishment of multi-ethnic municipal councils, administrative boards and rapid-impact employment projects, could foster peaceful coexistence."

The realization of this objective depends on the normal return of people of all ethnic groups which, as I have said, is closely linked to the security situation.

Thirdly, as to the upcoming municipal elections, the civil and voter registration has already begun in Kosovo. The report observes:

> "It is unfortunate, however, that all factions of the Kosovo Serb community have chosen not to participate in this process, due to the current lack of physical security and freedom of movement."

The Chinese delegation believes that this is a reality of the political life in Kosovo deserving of the full attention of the Security Council and UNMIK. In our view, careful planning and preparation must be made for the local elections in Kosovo. The security situation must be improved to ensure physical security and freedom of movement, so that the elections can be conducted in a free and peaceful atmosphere. The voter registration process must ensure broad representation, especially that of the minorities. To make this happen, necessary conditions still need to be created; otherwise, there is no way to guarantee the fairness of the elections. Elections in the absence of broad-based participation will only result in the intensification of ethnic conflicts.

Finally, the Chinese delegation would like to stress that Security Council resolution 1244 (1999) must be fully implemented. UNMIK should respect the sovereignty and territorial integrity, as well as the laws, of the Federal Republic of Yugoslavia and seek its cooperation and participation. Some administrative measures adopted in Kosovo, however, have undermined the sovereignty of the Federal Republic of Yugoslavia. For example, identification documents have been issued in Kosovo without authorization by the Federal Republic of Yugoslavia. Stamps have been issued, too. The Albanian flag has been flying beside the United Nations flag at the UNMIK compound in Kosovo. Some foreign guests have visited Kosovo without notice to the Federal Republic of Yugoslavia, and some countries, without prior consultation with the Federal Republic of Yugoslavia, have sent diplomatic representatives to Kosovo, and so on. All this has given the local people the wrong impression that Kosovo is on its way to independence.

Security Council resolution 1244 (1999) reaffirms the commitment of all Member States to the sovereignty and territorial integrity of the Federal Republic of Yugoslavia. The presence of the United Nations in Kosovo is by no means for the purpose of helping the locals gain independence. UNMIK should get this message across unequivocally to the local people. No error is admissible on this crucial policy. We support UNMIK's proposal to establish a Joint Committee so as to enhance the substantive cooperation between UNMIK and the Federal Republic of Yugoslavia. The report indicates that ethnic reconciliation in Kosovo "is a long and protracted process, and the international community must be patient and persistent". However, the international community must not sit on its hands regarding any act detrimental to ethnic reconciliation. Any attempt to discriminate against other ethnic groups in Kosovo's public life or to push Kosovo towards independence is dangerous. It will give rise to new disturbances in the Balkans at large, which will ultimately victimize the peoples of all countries in this region.

I now resume my functions as President of the Security Council.

There are no further speakers on my list. The Security Council has thus concluded the present stage of its consideration of the item on the agenda. The Security Council will remain seized of the matter.

The meeting rose at 1.20 p.m.